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No. 30

## House of Representatives

The House met at noon and was called to order by the Speaker pro tempore (Mr. MESSER).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,  
March 4, 2013.

I hereby appoint the Honorable LUKE MESSER to act as Speaker pro tempore on this day.

JOHN A. BOEHNER,  
*Speaker of the House of Representatives.*

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 3, 2013, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with each party limited to 1 hour and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes each, but in no event shall debate continue beyond 1:50 p.m.

### UNFUNDED MANDATES INFORMATION AND TRANSPARENCY ACT

The SPEAKER pro tempore. The Chair recognizes the gentlewoman from North Carolina (Ms. FOXX) for 5 minutes.

Ms. FOXX. Mr. Speaker, every year Washington imposes thousands of pages of rules and regulations on small businesses and local governments across this country. Hidden in those pages are costly mandates that make it harder for companies to hire and for cash-strapped States, counties, and cities to keep streets clean and parks safe.

Republicans and Democrats alike agree that each regulation the Federal Government dictates should be deliberative and economically defensible. That is why I've banded together with Democrats LORETTA SANCHEZ, MIKE MCINTYRE, and COLLIN PETERSON and Republican JAMES LANKFORD to introduce H.R. 899, the Unfunded Mandates Information and Transparency Act. This legislation will ensure a public and bureaucratic awareness about the cost, in dollars and in jobs, that Federal dictates pose to the economy and to local governments.

There is precedent for bipartisanship on this issue. In 1995, Members from both parties got behind, and President Clinton signed, the Unfunded Mandates Reform Act (UMRA), which sought to expose Washington's abuse of unfunded Federal mandates. By forcing the Federal Government to estimate how much its mandates would cost local governments and employers, regulation would necessarily become better and more efficient for everyone involved. And it has, to a certain extent.

But over the years, weaknesses in the original legislation have been revealed, weaknesses that some government agencies and independent regulatory bodies have exploited. The Unfunded Mandates Information and Transparency Act will correct these oversights and put some weight behind UMRA to ensure no government body, purposely or accidentally, skirts public scrutiny when jobs and scarce resources are at stake.

The spirit of the Unfunded Mandates Information and Transparency Act and its underlying principle, that the American people would be better served by a government that regulates only with the best information, is truly bipartisan.

Lawmakers and unelected regulators should know the price of their dictates. So, too, should the people, private enterprises, and governments, all of whom are being asked to foot the bill.

Funds are very tight for families across this country. Millions of Americans remain unemployed, and many more still rely on small businesses and local governments for jobs, health care, public safety, and education. Washington should think carefully before it decrees mandates that could siphon from the limited dollars governments and private sector job creators use to keep people employed and localities functioning. But as loopholes within the original UMRA legislation have revealed, Federal mandates are not universally preceded by thoughtfulness. The Unfunded Mandates Information and Transparency Act we have introduced will require that from government.

### DOING OUR BUSINESS DIFFERENTLY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Oregon (Mr. BLUMENAUER) for 5 minutes.

Mr. BLUMENAUER. What's so maddening about the sequester drama, just like the earlier fiscal cliff drama and the looming government shutdown drama, is that it is hopelessly beside the point.

The path to fiscal sustainability is not merely cutting budgets, raising tax rates, or closing a few loopholes. It is about fundamentally doing business differently.

Health care costs demand that we accelerate health care reform, which we're already working on in Oregon and in a number of other communities and health care systems across the country. These reforms, if put into effect nationally, would save more in health care costs over the next 10 years than the entire \$1.2 trillion sequester.

Everybody is getting excited about across-the-board cuts in the Department of Defense, but no one is talking about how we fundamentally change

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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H819

our philosophy of military compensation, benefits, and the size of the force to come to grips with the cost of an all-volunteer Army.

Of course, at a minimum, we should also dramatically reduce and shift resources away from the vast nuclear weapons stockpile and the three redundant delivery systems which we haven't used in 68 years and probably never will. We have 10 times more nuclear firepower than we need for deterrence. It is past time to scale down that archaic symbol of the Cold War and save hundreds of billions of dollars at no risk to American security.

It is time for Congress and the administration to work meaningfully for agriculture reform to give more support for America's farmers and ranchers at a fraction of the cost. We should reform the outrageous, inefficient, and unproductive crop insurance program. We should restore investments in nutrition, conservation, research, and marketing that will make a difference for most farmers and ranchers, improve long-term productivity, and support value-added agriculture. This saves money in the long run and doesn't distort our trade position or make Americans unhealthy.

By all means, we must reform our Tax Code, but reform is not likely to raise anything near what a growing and aging America is going to need.

Yes, close more of the egregious loopholes, but we need another broad-based source of revenue. A carbon tax would fit the bill, help reduce the deficit, and help us protect the planet from increasingly catastrophic weather events and the budget-busting disaster relief that inevitably follows.

We should, for the first time in 20 years, increase the gas tax, as recommended by the Simpson-Bowles report, a user fee that will help enable us to provide more support for transportation, put more people to work rebuilding and renewing America.

We might take a lesson from the history and our failed 14-year effort to prohibit alcohol, where the government spent a fortune in a fruitless effort to enforce prohibition, lost a fortune in revenue, and made a fortune for the Mafia, the underworld cartels of the 1920s, that haunts us to this day.

□ 1210

We ought to treat marijuana like we treat alcohol: the Federal Government regulates and taxes while the States decide what they want to do to legalize for medical or recreational use. Given what's already happened in 23 States and the District of Columbia, let's save money on enforcement, raise revenue from taxation, and invest in drug treatment and efforts to keep drugs out of the hands of children.

Let's take a break from the endless debates that are basically beside the point. Let's commit to doing business differently with health care, the military, enact broad-based taxes to both raise money and fix a broken Tax Code,

stop cheating the majority of farmers and ranchers and the environment.

This is not rocket science. We could start now if people address the big issues in a thoughtful way. Even when some of the measures may be controversial or hard, it's a whole lot better than doing stupid things that alienate everybody.

#### THE PARADOX OF HUNGER AND OBESITY

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, in our efforts to end hunger now, it is important to look at all aspects of hunger. Today, I want to talk about hunger and obesity and to highlight the unfortunate paradox between these two conditions.

How can an obese person also be food insecure? To put it bluntly, how can an overweight person be hungry? The question may be simple, but the answer is not. Unfortunately, this link is all too prevalent among millions of low- and middle-income people.

The simple truth is that hunger exists because people do not have enough money to buy enough healthy food, but obesity is more complex. Just because someone has enough money to buy food doesn't mean they have the resources to buy nutritious food. Ultimately, this is a problem of poverty in America.

The families who struggle with hunger not only struggle to put food on their tables, they struggle to make the food they can afford on a few dollars a day as nutritious as possible. For a variety of reasons, even well-to-do families are finding it more difficult today to prepare nutritious meals. A big part has to do with the amount of widely available, inexpensive, nonnutritious food—high-calorie, high-fat, low-nutrient food—and part of that has to do with the time constraints on families today.

But it is even more difficult for low-income, food-insecure families because they generally don't have access to full-service grocery stores. The local stores they do have access to, for the most part, do not sell fresh produce, and the fresh produce they do sell is expensive. So in order to stretch their food dollar, these families buy high-calorie, low-nutrient food that is more affordable.

Obesity, like hunger, is often a function of poverty, and low-income families are especially vulnerable to obesity because of the additional risk factors associated with poverty. When taken together, these risk factors make it easy to see how obesity and hunger are related.

There are at least four general risk factors for obesity that are associated with poverty:

First, low-income neighborhoods are underserved by full-service supermarkets. In inner cities, food is most

readily available at small neighborhood convenience stores where fresh produce and lower-fat food items are most limited. In rural areas, full-service grocery stores are many miles away. This is commonly referred to as a food desert, something that can exist in both urban and rural areas;

Second, when healthy food is available, it is oftentimes more expensive than less healthy options. Low-income families must stretch their budgets in ways that make it difficult to purchase higher priced, more nutritious food items. This means that these families are forced to buy cheaper, high-calorie, high-fat, high-sodium food that lasts longer just so they can make their food budgets stretch through the month;

Third, there are fewer opportunities for physical activity in neighborhoods and schools. Safe open space can be difficult to find in many of our neighborhoods where lower income families live, sometimes because of lack of parks and other times because of higher crime rates;

Fourth, high levels of stress and limited access to health care can contribute to weight gain. Hunger is truly a health issue, and it is important to note that stress and lack of access to quality health care can trigger physiological responses that contribute to obesity.

Mr. Speaker, I remind people that food is medicine. My grandmother used to say "an apple a day keeps the doctor away." It used to annoy me, but she was right. We missed an opportunity during the Affordable Care Act to address the issues of hunger and nutrition. We must do so now.

Adequate access to good, nutritious foods can help lower the instances of diabetes and heart disease. That will improve the quality of life for people, but it will also save us money from avoidable health care issues. Hunger costs us dearly, and the cost to fix and solve the problem is cheaper than the status quo.

So to all my colleagues who believe that the only problem we face is the budget deficit, I urge you to join us in this effort to end hunger now. It is fiscally the right thing to do, and it is our moral obligation.

Hunger and obesity are two sides of the same coin. Yes, we have excellent antihunger safety net programs like SNAP and the school meal programs that help reduce incidences of hunger in America; yes, the First Lady's Let's Move campaign is working to address obesity in America, primarily among children; but we must do more to address these two issues together. Because of all of these factors, it is clear that we simply cannot address hunger or obesity. We must address both of these issues at the same time if we are going to end hunger now. It is why I believe we need a White House conference on food and nutrition, a Presidential summit that brings all the stakeholders together, a forum where we can develop and agree on one strategy to reduce hunger and obesity together.

In addition, I would plead with my colleagues to not cut our antihunger safety net programs like SNAP and WIC, programs which provide a minimum food benefit. To do so would only worsen the problem of hunger and obesity in America. We must end hunger now, but we cannot do so just by increasing access to high-calorie, low-nutrient food. It is a real challenge, but it's one that we are capable of meeting. We just need to muster the political will to make it happen. End hunger now.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 2 p.m. today.

Accordingly (at 12 o'clock and 16 minutes p.m.), the House stood in recess.

□ 1400

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. MEADOWS) at 2 p.m.

#### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Dear Lord, we give You thanks for giving us another day.

At the beginning of a new workweek, we use this moment to be reminded of Your presence and to tap the resources needed by the Members of this people's House to do their work as well as it can be done.

May they be led by Your Spirit in the decisions they make. May they possess Your power as they steady themselves amid the pressures of persistent problems.

May their faith in You deliver them from tensions that tear the House apart and from worries that might wear them out.

All this day, and through the week, may they do their best to find solutions to pressing issues facing our Nation. Please hasten the day when justice and love shall dwell in the hearts of all peoples and rule the affairs of the nations of Earth.

May all that is done this day be for Your greater honor and glory.

Amen.

#### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

#### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Oklahoma (Mr.

MULLIN) come forward and lead the House in the Pledge of Allegiance.

Mr. MULLIN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

#### PRESIDENT'S SEQUESTER CREATES RISKS

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Mr. Speaker, last Friday, our national security was placed at risk when the President's sequester began implementation. Sadly, this nearly \$600 billion budget cut was the third attack on our Nation's military. In 2010, the Defense Department experienced a \$100 billion budget cut. And again in January 2012, President Obama removed \$487 billion from our military in the annual budget.

Maintaining a strong national defense is a primary function of the Federal Government. Removing these resources so drastically places American families and our allies, such as Israel, at risk of future attacks. In fact, nearly half of all of the reductions in spending are on the defense budget, which is only 18 percent of the entire Federal budget.

As a member of the House Armed Services Committee, I appreciate Chairman BUCK MCKEON's efforts that our national security not be sacrificed to fight our Nation's debt crisis. It is my hope that the President and Senate leadership will work with House Republicans to address our spending problem by reducing wasteful spending and not by holding our national security hostage.

In conclusion, God bless our troops, and we will never forget September the 11th in the global war on terrorism.

#### PUT AMERICA FIRST

(Mr. MULLIN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MULLIN. Mr. Speaker, I come to you today not as a Republican or a Democrat, but an American committed to the United States Constitution. I regularly hear from my constituents who are fed up with the bipartisan fighting. We pledge allegiance to the United States of America, not our political parties. In President George Washington's farewell address, he said:

With slight shades of difference, you have the same religion, manners, habits, and political principles. You have, in a common cause, fought and triumphed together. The independence and liberty you possess are the work of joint councils and joint efforts of common dangers, sufferings, and successes.

Washington was right. We are all united by common bonds. Although we

have our differences, we are more alike than we are different.

In his address, Washington was not speaking to one party, but to all people of the young Republic. If we don't start putting this country first and partisanship last, we are going to ruin the country our fathers founded.

It is no secret that we are facing difficult decisions, but I am committed to working with any Member of Congress regardless of party, as long as they're willing to put country first.

#### ENHANCING THE HEALTH OF OUR YOUTH

(Mr. HULTGREN asked and was given permission to address the House for 1 minute.)

Mr. HULTGREN. Mr. Speaker, a report issued by the Centers for Disease Control on February 13 made headlines with the news that young adults account for 50 percent of all STD infections.

This caught my attention because, as a father with two of my four kids in their late teens, I want them to avoid such risks. I am not alone. A recent national survey revealed that most parents feel the same way, regardless of race or political affiliation. They want their children to have the best chance for optimal health and, so, support risk avoidance education, sometimes called "abstinence education," for their kids.

However, currently there is a troubling 16 to 1 Federal funding disparity between contraception-centered education and risk-avoidance education. That is why I introduced H.R. 718, the Abstinence Education Reallocation Act. The bill brings some parity to programs that give our kids the facts about contraception and avoiding risky behavior.

Mr. Speaker, our teens deserve the best and most accurate information for their optimal health.

#### SEQUESTRATION

(Ms. FOXX asked and was given permission to address the House for 1 minute.)

Ms. FOXX. Mr. Speaker, the President is wrong to suggest taking more money away from the American people would ease the effects of his sequester or correct the debt crisis his policies have exacerbated.

Despite high tax revenue, Washington has been overspending by at least \$1 trillion each year of the Obama Presidency. When families run out of money, they do the smart thing—stop spending so much. Washington has to do the same, but arbitrarily cutting budgets through sequestration isn't the best way.

Twice since last summer, House Republicans passed legislation to achieve the same savings while completely removing the indiscriminate threat of sequestration. Our plans targeted waste and limited government growth. The President threatened to veto our proposals because they didn't include

taxes, and the Senate never agreed on a sequester alternative.

As the President's sequester begins to take effect, I will continue to advocate for common sense: replacing the arbitrary cuts with less wasteful spending and reforms to debt-driving programs.

#### SEQUESTER IN PERSPECTIVE

(Mr. MESSER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MESSER. Mr. Speaker, \$85 billion is a lot of money, yet it represents just 2 percent of the \$3.6 trillion this Nation spends every year.

I hold in my hand two pennies, two pennies to represent the 2 percent of budget reductions we are asking for in this \$85 billion sequester. Does anybody in this country believe that our Federal Government is so efficient and so effective that we cannot afford to trim two pennies out of every dollar?

Over the last 4 years, too many parents have had to come home and tell their children they're out of work, and too many young people have had to come home and tell their parents they can't find a job. We need leaders in this Nation that will go to work for the people who live here and trim the two cents off every dollar we need to restore a healthy economy and put folks back to work.

□ 1410

#### MEDICARE ADVANTAGE AND THE AFFORDABLE CARE ACT

(Mr. BURGESS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BURGESS. Mr. Speaker, the Affordable Care Act was passed now almost 3 years ago, and the Affordable Care Act was going to lower costs. And why wouldn't you like it? You get free stuff.

Well, how do you pay for that free stuff?

It turns out five new taxes were started on January of this year. What are they, and who do they affect?

Well, there's a big tax on medical devices. Now everyone talks about wanting to encourage American investment, encourage American manufacturing. But with this tax we're encouraging manufacturers to go offshore.

Flexible spending accounts are now limited. Who's affected by flexible spending accounts? Well, people with predictable recurrent medical expenses who might want to set some of those dollars aside and pay for them with pretax dollars. Those amounts are now limited, so people with chronic illnesses, families with special needs children are going to be affected.

There's a surtax on investment income. The economy's trying to recover. Why would we tax investment income?

Itemized deductions are now going to be limited for people who itemize their deductions. So who is affected by that? People with the highest medical expenses.

And then finally, the Medicare payroll tax hike. Might sound like a good idea. Medicare might need more money, but this money doesn't go to Medicare. This money goes to fund new programs.

Look, 3 years ago we were all told, if you like what you have, you can keep it. If you like your insurance, you can keep it. If you like your doctor, you can keep him or her.

Turns out, what we should have been hearing is, you're going to pay a lot more to get a lot less.

#### HONORING THE CENTENNIAL OF THE TOWN OF HAYESVILLE, NORTH CAROLINA

(Mr. MEADOWS asked and was given permission to address the House for 1 minute.)

Mr. MEADOWS. Mr. Speaker, I rise today in honor of the centennial of Hayesville, a city nestled between the mountains and valleys of Clay County in western North Carolina.

Located along an old trading route at the site of the former Cherokee town of Quanasee, Hayesville became a resting place for many settlers in the early 1800s during their westward expansion.

As the population in the area grew, the need for local governance increased, and in 1861, State representative George Hayes introduced legislation establishing Clay County, and Hayesville was named to recognize his efforts.

As the county and community continued to grow, a county courthouse and village square were established in the town, and in March of 1913, Hayesville was officially recognized as an incorporated town and the county seat of Clay County.

Throughout the 1900s, Hayesville's importance to western North Carolina only grew as it became a center of commerce point between Franklin to the east, Murphy to the west, and communities in Georgia to the south.

Hayesville continues to be an important representative of the small-town family values and our mountain culture so important to all of us in the western part of the State.

I'm proud to represent such a strong community, and it is with great honor I recognize the centennial of Hayesville, North Carolina.

#### COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore (Mr. MESSER) laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

HOUSE OF REPRESENTATIVES,  
Washington, DC, March 4, 2013.

Hon. JOHN BOEHNER,  
Speaker of the House,  
Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to section 3166(b) of the National Defense Authorization Act for Fiscal Year 2013 (Public Law 112-239), I am pleased to appoint former Rep. Ellen Tauscher of Washington, D.C. to the Congressional Advisory Panel on the Governance of the Nuclear Security Enterprise.

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,  
Democratic Leader.

#### APPOINTMENT OF MEMBERS TO UNITED STATES GROUP OF THE NATO PARLIAMENTARY ASSEMBLY

The SPEAKER pro tempore (Mr. MEADOWS). The Chair announces the Speaker's appointment, pursuant to 22 U.S.C. 1928(a), and the order of the House of January 3, 2013, of the following Members on the part of the House to the United States Group of the NATO Parliamentary Assembly:

Mr. POE, Texas, Vice Chair  
Mr. SHIMKUS, Illinois  
Mr. MILLER, Florida  
Mr. GUTHRIE, Kentucky  
Mr. MARINO, Pennsylvania  
Mr. COTTON, Arkansas

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, March 1, 2013.

Hon. JOHN A. BOEHNER,  
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, I have the honor to transmit a sealed envelope received from the White House on March 1, 2013, at 2:22 p.m., and said to contain a message from the President whereby he notifies the Congress he has extended the national emergency with respect to Zimbabwe.

With best wishes, I am  
Sincerely,

KAREN L. HAAS,  
Clerk of the House.

#### CONTINUATION OF THE NATIONAL EMERGENCY WITH RESPECT TO THE SITUATION IN ZIMBABWE—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 113-14)

The SPEAKER pro tempore laid before the House the following message from the President of the United States; which was read and referred to the Committee on Foreign Affairs and ordered printed:

To the Congress of the United States:

Section 202(d) of the National Emergencies Act (50 U.S.C. 1622(d)) provides



for the automatic termination of a national emergency unless, within 90 days prior to the anniversary date of its declaration, the President publishes in the *Federal Register* and transmits to the Congress a notice stating that the emergency is to continue in effect beyond the anniversary date. In accordance with this provision, I have sent to the *Federal Register* for publication the enclosed notice stating that the national emergency declared in Executive Order 13288 of March 6, 2003, with respect to the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions is to continue in effect beyond March 6, 2013.

The crisis constituted by the actions and policies of certain members of the Government of Zimbabwe and other persons to undermine Zimbabwe's democratic processes or institutions has not been resolved. These actions and policies continue to pose an unusual and extraordinary threat to the foreign policy of the United States. For these reasons, I have determined that it is necessary to continue this national emergency and to maintain in force the sanctions to respond to this threat.

BARACK OBAMA.  
THE WHITE HOUSE, March 1, 2013.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 4 of rule I, the following enrolled bill was signed by the Speaker on Friday, March 1, 2013:

S. 47, to reauthorize the Violence Against Women Act of 1994.

#### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, March 4, 2013.

Hon. JOHN A. BOEHNER,  
The Speaker, House of Representatives,  
Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on March 4, 2013 at 1:12 p.m.:

Appointments:  
Commission on Security and Cooperation in Europe (Helsinki).

With best wishes, I am  
Sincerely,

KAREN L. HAAS.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until approximately 5 p.m. today.

Accordingly (at 2 o'clock and 18 minutes p.m.), the House stood in recess.

□ 1715

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 5 o'clock and 15 minutes p.m.

#### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the Chair will postpone further proceedings today on the motion to suspend the rules on which a recorded vote or the yeas and nays are ordered, or on which the vote incurs objection under clause 6 of rule XX.

Any record vote on the postponed question will be taken later.

#### PANDEMIC AND ALL-HAZARDS PREPAREDNESS REAUTHORIZATION ACT OF 2013

Mr. PITTS. Mr. Speaker, I move to suspend the rules and concur in the Senate amendment to the bill (H.R. 307) to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes.

The Clerk read the title of the bill.

The text of the Senate amendment is as follows:

Senate amendment:

Strike out all after the enacting clause and insert:

#### SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

(a) *SHORT TITLE*.—This Act may be cited as the “Pandemic and All-Hazards Preparedness Reauthorization Act of 2013”.

(b) *TABLE OF CONTENTS*.—The table of contents of this Act is as follows:

Sec. 1. Short title; table of contents.

#### TITLE I—STRENGTHENING NATIONAL PREPAREDNESS AND RESPONSE FOR PUBLIC HEALTH EMERGENCIES

Sec. 101. National Health Security Strategy.

Sec. 102. Assistant Secretary for Preparedness and Response.

Sec. 103. National Advisory Committee on Children and Disasters.

Sec. 104. Modernization of the National Disaster Medical System.

Sec. 105. Continuing the role of the Department of Veterans Affairs.

#### TITLE II—OPTIMIZING STATE AND LOCAL ALL-HAZARDS PREPAREDNESS AND RESPONSE

Sec. 201. Temporary reassignment of State and local personnel during a public health emergency.

Sec. 202. Improving State and local public health security.

Sec. 203. Hospital preparedness and medical surge capacity.

Sec. 204. Enhancing situational awareness and biosurveillance.

Sec. 205. Eliminating duplicative Project BioShield reports.

#### TITLE III—ENHANCING MEDICAL COUNTERMEASURE REVIEW

Sec. 301. Special protocol assessment.

Sec. 302. Authorization for medical products for use in emergencies.

Sec. 303. Definitions.

Sec. 304. Enhancing medical countermeasure activities.

Sec. 305. Regulatory management plans.

Sec. 306. Report.

Sec. 307. Pediatric medical countermeasures.

#### TITLE IV—ACCELERATING MEDICAL COUNTERMEASURE ADVANCED RESEARCH AND DEVELOPMENT

Sec. 401. BioShield.

Sec. 402. Biomedical Advanced Research and Development Authority.

Sec. 403. Strategic National Stockpile.

Sec. 404. National Biodefense Science Board.

#### TITLE I—STRENGTHENING NATIONAL PREPAREDNESS AND RESPONSE FOR PUBLIC HEALTH EMERGENCIES

##### SEC. 101. NATIONAL HEALTH SECURITY STRATEGY.

(a) *IN GENERAL*.—Section 2802 of the Public Health Service Act (42 U.S.C. 300hh-1) is amended—

(1) in subsection (a)(1), by striking “2009” and inserting “2014”; and

(2) in subsection (b)—

(A) in paragraph (1)(A), by inserting “, including drills and exercises to ensure medical surge capacity for events without notice” after “exercises”; and

(B) in paragraph (3)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “facilities), and trauma care” and inserting “and ambulatory care facilities and which may include dental health facilities), and trauma care, critical care,”; and

(II) by inserting “(including related availability, accessibility, and coordination)” after “public health emergencies”;

(ii) in subparagraph (A), by inserting “and trauma” after “medical”;

(iii) in subparagraph (B), by striking “Medical evacuation and fatality management” and inserting “Fatality management”;

(iv) by redesignating subparagraphs (C), (D), and (E) as subparagraphs (D), (E), and (F), respectively;

(v) by inserting after subparagraph (B), the following new subparagraph:

“(C) Coordinated medical triage and evacuation to appropriate medical institutions based on patient medical need, taking into account regionalized systems of care.”;

(vi) in subparagraph (E), as redesignated by clause (iv), by inserting “(which may include such dental health assets)” after “medical assets”; and

(vii) by adding at the end the following:

“(G) Optimizing a coordinated and flexible approach to the medical surge capacity of hospitals, other health care facilities, critical care, trauma care (which may include trauma centers), and emergency medical systems.”;

(C) in paragraph (4)—

(i) in subparagraph (A), by inserting “, including the unique needs and considerations of individuals with disabilities,” after “medical needs of at-risk individuals”; and

(ii) in subparagraph (B), by inserting “the” before “purpose of this section”; and

(D) by adding at the end the following:

“(7) COUNTERMEASURES.—

“(A) Promoting strategic initiatives to advance countermeasures to diagnose, mitigate, prevent, or treat harm from any biological agent or toxin, chemical, radiological, or nuclear agent or agents, whether naturally occurring, unintentional, or deliberate.

“(B) For purposes of this paragraph, the term ‘countermeasures’ has the same meaning as the terms ‘qualified countermeasures’ under section 319F-1, ‘qualified pandemic and epidemic products’ under section 319F-3, and ‘security countermeasures’ under section 319F-2.

“(8) MEDICAL AND PUBLIC HEALTH COMMUNITY RESILIENCY.—Strengthening the ability of States, local communities, and tribal communities to prepare for, respond to, and be resilient

in the event of public health emergencies, whether naturally occurring, unintentional, or deliberate by—

“(A) optimizing alignment and integration of medical and public health preparedness and response planning and capabilities with and into routine daily activities; and

“(B) promoting familiarity with local medical and public health systems.”

(b) **AT-RISK INDIVIDUALS.**—Section 2814 of the Public Health Service Act (42 U.S.C. 300hh–16) is amended—

(1) by striking paragraphs (5), (7), and (8);

(2) in paragraph (4), by striking “2811(b)(3)(B)” and inserting “2802(b)(4)(B)”;

(3) by redesignating paragraphs (1) through (4) as paragraphs (2) through (5), respectively;

(4) by inserting before paragraph (2) (as so redesignated), the following:

“(1) monitor emerging issues and concerns as they relate to medical and public health preparedness and response for at-risk individuals in the event of a public health emergency declared by the Secretary under section 319;”

(5) by amending paragraph (2) (as so redesignated) to read as follows:

“(2) oversee the implementation of the preparedness goals described in section 2802(b) with respect to the public health and medical needs of at-risk individuals in the event of a public health emergency, as described in section 2802(b)(4);” and

(6) by inserting after paragraph (6), the following:

“(7) disseminate and, as appropriate, update novel and best practices of outreach to and care of at-risk individuals before, during, and following public health emergencies in as timely a manner as is practicable, including from the time a public health threat is identified; and

“(8) ensure that public health and medical information distributed by the Department of Health and Human Services during a public health emergency is delivered in a manner that takes into account the range of communication needs of the intended recipients, including at-risk individuals.”

#### **SEC. 102. ASSISTANT SECRETARY FOR PREPAREDNESS AND RESPONSE.**

(a) **IN GENERAL.**—Section 2811 of the Public Health Service Act (42 U.S.C. 300hh–10) is amended—

(1) in subsection (b)—

(A) in paragraph (3), by inserting “, security countermeasures (as defined in section 319F–2),” after “qualified countermeasures (as defined in section 319F–1)”;

(B) in paragraph (4), by adding at the end the following:

“(D) **POLICY COORDINATION AND STRATEGIC DIRECTION.**—Provide integrated policy coordination and strategic direction with respect to all matters related to Federal public health and medical preparedness and execution and deployment of the Federal response for public health emergencies and incidents covered by the National Response Plan developed pursuant to section 504(6) of the Homeland Security Act of 2002, or any successor plan, before, during, and following public health emergencies.

“(E) **IDENTIFICATION OF INEFFICIENCIES.**—Identify and minimize gaps, duplication, and other inefficiencies in medical and public health preparedness and response activities and the actions necessary to overcome these obstacles.

“(F) **COORDINATION OF GRANTS AND AGREEMENTS.**—Align and coordinate medical and public health grants and cooperative agreements as applicable to preparedness and response activities authorized under this Act, to the extent possible, including program requirements, timelines, and measurable goals, and in consultation with the Secretary of Homeland Security, to—

“(i) optimize and streamline medical and public health preparedness and response capabilities and the ability of local communities to respond to public health emergencies; and

“(ii) gather and disseminate best practices among grant and cooperative agreement recipients, as appropriate.

“(G) **DRILL AND OPERATIONAL EXERCISES.**—Carry out drills and operational exercises, in consultation with the Department of Homeland Security, the Department of Defense, the Department of Veterans Affairs, and other applicable Federal departments and agencies, as necessary and appropriate, to identify, inform, and address gaps in and policies related to all-hazards medical and public health preparedness and response, including exercises based on—

“(i) identified threats for which countermeasures are available and for which no countermeasures are available; and

“(ii) unknown threats for which no countermeasures are available.

“(H) **NATIONAL SECURITY PRIORITY.**—On a periodic basis consult with, as applicable and appropriate, the Assistant to the President for National Security Affairs, to provide an update on, and discuss, medical and public health preparedness and response activities pursuant to this Act and the Federal Food, Drug, and Cosmetic Act, including progress on the development, approval, clearance, and licensure of medical countermeasures.”; and

(C) by adding at the end the following:

“(7) **COUNTERMEASURES BUDGET PLAN.**—Develop, and update on an annual basis, a coordinated 5-year budget plan based on the medical countermeasure priorities described in subsection (d). Each such plan shall—

“(A) include consideration of the entire medical countermeasures enterprise, including—

“(i) basic research and advanced research and development;

“(ii) approval, clearance, licensure, and authorized uses of products; and

“(iii) procurement, stockpiling, maintenance, and replenishment of all products in the Strategic National Stockpile;

“(B) inform prioritization of resources and include measurable outputs and outcomes to allow for the tracking of the progress made toward identified priorities;

“(C) identify medical countermeasure life-cycle costs to inform planning, budgeting, and anticipated needs within the continuum of the medical countermeasure enterprise consistent with section 319F–2; and

“(D) be made available to the appropriate committees of Congress upon request.”;

(2) by striking subsection (c) and inserting the following:

“(c) **FUNCTIONS.**—The Assistant Secretary for Preparedness and Response shall—

“(1) have lead responsibility within the Department of Health and Human Services for emergency preparedness and response policy coordination and strategic direction;

“(2) have authority over and responsibility for—

“(A) the National Disaster Medical System pursuant to section 2812;

“(B) the Hospital Preparedness Cooperative Agreement Program pursuant to section 319C–2;

“(C) the Biomedical Advanced Research and Development Authority pursuant to section 319L;

“(D) the Medical Reserve Corps pursuant to section 2813;

“(E) the Emergency System for Advance Registration of Volunteer Health Professionals pursuant to section 319I; and

“(F) administering grants and related authorities related to trauma care under parts A through C of title XII, such authority to be transferred by the Secretary from the Administrator of the Health Resources and Services Administration to such Assistant Secretary;

“(3) exercise the responsibilities and authorities of the Secretary with respect to the coordination of—

“(A) the Public Health Emergency Preparedness Cooperative Agreement Program pursuant to section 319C–1;

“(B) the Strategic National Stockpile pursuant to section 319F–2; and

“(C) the Cities Readiness Initiative; and

“(4) assume other duties as determined appropriate by the Secretary.”; and

(3) by adding at the end the following:

“(d) **PUBLIC HEALTH EMERGENCY MEDICAL COUNTERMEASURES ENTERPRISE STRATEGY AND IMPLEMENTATION PLAN.**—

“(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this subsection, and every year thereafter, the Assistant Secretary for Preparedness and Response shall develop and submit to the appropriate committees of Congress a coordinated strategy and accompanying implementation plan for medical countermeasures to address chemical, biological, radiological, and nuclear threats. In developing such a plan, the Assistant Secretary for Preparedness and Response shall consult with the Director of the Biomedical Advanced Research and Development Authority, the Director of the National Institutes of Health, the Director of the Centers for Disease Control and Prevention, and the Commissioner of Food and Drugs. Such strategy and plan shall be known as the ‘Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan’.

“(2) **REQUIREMENTS.**—The plan under paragraph (1) shall—

“(A) describe the chemical, biological, radiological, and nuclear agent or agents that may present a threat to the Nation and the corresponding efforts to develop qualified countermeasures (as defined in section 319F–1), security countermeasures (as defined in section 319F–2), or qualified pandemic or epidemic products (as defined in section 319F–3) for each threat;

“(B) evaluate the progress of all activities with respect to such countermeasures or products, including research, advanced research, development, procurement, stockpiling, deployment, distribution, and utilization;

“(C) identify and prioritize near-, mid-, and long-term needs with respect to such countermeasures or products to address a chemical, biological, radiological, and nuclear threat or threats;

“(D) identify, with respect to each category of threat, a summary of all awards and contracts, including advanced research and development and procurement, that includes—

“(i) the time elapsed from the issuance of the initial solicitation or request for a proposal to the adjudication (such as the award, denial of award, or solicitation termination); and

“(ii) an identification of projected timelines, anticipated funding allocations, benchmarks, and milestones for each medical countermeasure priority under subparagraph (C), including projected needs with regard to replenishment of the Strategic National Stockpile;

“(E) be informed by the recommendations of the National Biodefense Science Board pursuant to section 319M;

“(F) evaluate progress made in meeting timelines, allocations, benchmarks, and milestones identified under subparagraph (D)(ii);

“(G) report on the amount of funds available for procurement in the special reserve fund as defined in section 319F–2(h) and the impact this funding will have on meeting the requirements under section 319F–2;

“(H) incorporate input from Federal, State, local, and tribal stakeholders;

“(I) identify the progress made in meeting the medical countermeasure priorities for at-risk individuals (as defined in 2802(b)(4)(B)), as applicable under subparagraph (C), including with regard to the projected needs for related stockpiling and replenishment of the Strategic National Stockpile, including by addressing the needs of pediatric populations with respect to such countermeasures and products in the Strategic National Stockpile, including—

“(i) a list of such countermeasures and products necessary to address the needs of pediatric populations;

“(ii) a description of measures taken to coordinate with the Office of Pediatric Therapeutics of the Food and Drug Administration to

maximize the labeling, dosages, and formulations of such countermeasures and products for pediatric populations;

“(iii) a description of existing gaps in the Strategic National Stockpile and the development of such countermeasures and products to address the needs of pediatric populations; and

“(iv) an evaluation of the progress made in addressing priorities identified pursuant to subparagraph (C);

“(J) identify the use of authority and activities undertaken pursuant to sections 319F–1(b)(1), 319F–1(b)(2), 319F–1(b)(3), 319F–1(c), 319F–1(d), 319F–1(e), 319F–2(c)(7)(C)(iii), 319F–2(c)(7)(C)(iv), and 319F–2(c)(7)(C)(v) of this Act, and subsections (a)(1), (b)(1), and (e) of section 564 of the Federal Food, Drug, and Cosmetic Act, by summarizing—

“(i) the particular actions that were taken under the authorities specified, including, as applicable, the identification of the threat agent, emergency, or the biomedical countermeasure with respect to which the authority was used;

“(ii) the reasons underlying the decision to use such authorities, including, as applicable, the options that were considered and rejected with respect to the use of such authorities;

“(iii) the number of, nature of, and other information concerning the persons and entities that received a grant, cooperative agreement, or contract pursuant to the use of such authorities, and the persons and entities that were considered and rejected for such a grant, cooperative agreement, or contract, except that the report need not disclose the identity of any such person or entity;

“(iv) whether, with respect to each procurement that is approved by the President under section 319F–2(c)(6), a contract was entered into within one year after such approval by the President; and

“(v) with respect to section 319F–1(d), for the one-year period for which the report is submitted, the number of persons who were paid amounts totaling \$100,000 or greater and the number of persons who were paid amounts totaling at least \$50,000 but less than \$100,000; and

“(K) be made publicly available.

“(3) GAO REPORT.—

“(A) IN GENERAL.—Not later than 1 year after the date of the submission to the Congress of the first Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate committees of Congress a report, concerning such Strategy and Implementation Plan.

“(B) CONTENT.—The report described in subparagraph (A) shall review and assess—

“(i) the near-term, mid-term, and long-term medical countermeasure needs and identified priorities of the Federal Government pursuant to paragraph (2)(C);

“(ii) the activities of the Department of Health and Human Services with respect to advanced research and development pursuant to section 319L; and

“(iii) the progress made toward meeting the timelines, allocations, benchmarks, and milestones identified in the Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan under this subsection.

“(e) PROTECTION OF NATIONAL SECURITY.—In carrying out subsections (b)(7) and (d), the Secretary shall ensure that information and items that could compromise national security, contain confidential commercial information, or contain proprietary information are not disclosed.”.

(b) INTERAGENCY COORDINATION PLAN.—In the first Public Health Emergency Countermeasures Enterprise Strategy and Implementation Plan submitted under subsection (d) of section 2811 of the Public Health Service Act (42 U.S.C. 300hh–10) (as added by subsection (a)(3)), the Secretary

of Health and Human Services, in consultation with the Secretary of Defense, shall include a description of the manner in which the Department of Health and Human Services is coordinating with the Department of Defense regarding countermeasure activities to address chemical, biological, radiological, and nuclear threats. Such report shall include information with respect to—

(1) the research, advanced research, development, procurement, stockpiling, and distribution of countermeasures to meet identified needs; and

(2) the coordination of efforts between the Department of Health and Human Services and the Department of Defense to address countermeasure needs for various segments of the population.

#### SEC. 103. NATIONAL ADVISORY COMMITTEE ON CHILDREN AND DISASTERS.

Subtitle B of title XXVIII of the Public Health Service Act (42 U.S.C. 300hh et seq.) is amended by inserting after section 2811 the following:

##### “SEC. 2811A. NATIONAL ADVISORY COMMITTEE ON CHILDREN AND DISASTERS.

“(a) ESTABLISHMENT.—The Secretary, in consultation with the Secretary of Homeland Security, shall establish an advisory committee to be known as the ‘National Advisory Committee on Children and Disasters’ (referred to in this section as the ‘Advisory Committee’).

“(b) DUTIES.—The Advisory Committee shall—

“(1) provide advice and consultation with respect to the activities carried out pursuant to section 2814, as applicable and appropriate;

“(2) evaluate and provide input with respect to the medical and public health needs of children as they relate to preparation for, response to, and recovery from all-hazards emergencies; and

“(3) provide advice and consultation with respect to State emergency preparedness and response activities and children, including related drills and exercises pursuant to the preparedness goals under section 2802(b).

“(c) ADDITIONAL DUTIES.—The Advisory Committee may provide advice and recommendations to the Secretary with respect to children and the medical and public health grants and cooperative agreements as applicable to preparedness and response activities authorized under this title and title III.

“(d) MEMBERSHIP.—

“(1) IN GENERAL.—The Secretary, in consultation with such other Secretaries as may be appropriate, shall appoint not to exceed 15 members to the Advisory Committee. In appointing such members, the Secretary shall ensure that the total membership of the Advisory Committee is an odd number.

“(2) REQUIRED MEMBERS.—The Secretary, in consultation with such other Secretaries as may be appropriate, may appoint to the Advisory Committee under paragraph (1) such individuals as may be appropriate to perform the duties described in subsections (b) and (c), which may include—

“(A) the Assistant Secretary for Preparedness and Response;

“(B) the Director of the Biomedical Advanced Research and Development Authority;

“(C) the Director of the Centers for Disease Control and Prevention;

“(D) the Commissioner of Food and Drugs;

“(E) the Director of the National Institutes of Health;

“(F) the Assistant Secretary of the Administration for Children and Families;

“(G) the Administrator of the Federal Emergency Management Agency;

“(H) at least two non-Federal health care professionals with expertise in pediatric medical disaster planning, preparedness, response, or recovery;

“(I) at least two representatives from State, local, territorial, or tribal agencies with expertise in pediatric disaster planning, preparedness, response, or recovery; and

“(J) representatives from such Federal agencies (such as the Department of Education and the Department of Homeland Security) as determined necessary to fulfill the duties of the Advisory Committee, as established under subsections (b) and (c).

“(e) MEETINGS.—The Advisory Committee shall meet not less than biannually.

“(f) SUNSET.—The Advisory Committee shall terminate on September 30, 2018.”.

#### SEC. 104. MODERNIZATION OF THE NATIONAL DISASTER MEDICAL SYSTEM.

Section 2812 of the Public Health Service Act (42 U.S.C. 300hh–11) is amended—

(1) in subsection (a)(3)—

(A) in subparagraph (A), in clause (i) by inserting “, including at-risk individuals as applicable” after “victims of a public health emergency”;

(B) by redesignating subparagraph (C) as subparagraph (E); and

(C) by inserting after subparagraph (B), the following:

“(C) CONSIDERATIONS FOR AT-RISK POPULATIONS.—The Secretary shall take steps to ensure that an appropriate specialized and focused range of public health and medical capabilities are represented in the National Disaster Medical System, which take into account the needs of at-risk individuals, in the event of a public health emergency.”.

“(D) ADMINISTRATION.—The Secretary may determine and pay claims for reimbursement for services under subparagraph (A) directly or through contracts that provide for payment in advance or by way of reimbursement.”; and

(2) in subsection (g), by striking “such sums as may be necessary for each of the fiscal years 2007 through 2011” and inserting “\$52,700,000 for each of fiscal years 2014 through 2018”.

#### SEC. 105. CONTINUING THE ROLE OF THE DEPARTMENT OF VETERANS AFFAIRS.

Section 8117(g) of title 38, United States Code, is amended by striking “such sums as may be necessary to carry out this section for each of fiscal years 2007 through 2011” and inserting “\$155,300,000 for each of fiscal years 2014 through 2018 to carry out this section”.

#### TITLE II—OPTIMIZING STATE AND LOCAL ALL-HAZARDS PREPAREDNESS AND RESPONSE

##### SEC. 201. TEMPORARY REASSIGNMENT OF STATE AND LOCAL PERSONNEL DURING A PUBLIC HEALTH EMERGENCY.

Section 319 of the Public Health Service Act (42 U.S.C. 247d) is amended by adding at the end the following:

“(e) TEMPORARY REASSIGNMENT OF STATE AND LOCAL PERSONNEL DURING A PUBLIC HEALTH EMERGENCY.—

“(1) EMERGENCY REASSIGNMENT OF FEDERALLY FUNDED PERSONNEL.—Notwithstanding any other provision of law, and subject to paragraph (2), upon request by the Governor of a State or a tribal organization or such Governor or tribal organization’s designee, the Secretary may authorize the requesting State or Indian tribe to temporarily reassign, for purposes of immediately addressing a public health emergency in the State or Indian tribe, State and local public health department or agency personnel funded in whole or in part through programs authorized under this Act, as appropriate.

“(2) ACTIVATION OF EMERGENCY REASSIGNMENT.—

“(A) PUBLIC HEALTH EMERGENCY.—The Secretary may authorize a temporary reassignment of personnel under paragraph (1) only during the period of a public health emergency determined pursuant to subsection (a).

“(B) CONTENTS OF REQUEST.—To seek authority for a temporary reassignment of personnel under paragraph (1), the Governor of a State or a tribal organization shall submit to the Secretary a request for such reassignment flexibility and shall include in the request each of the following:

“(i) An assurance that the public health emergency in the geographic area of the requesting State or Indian tribe cannot be adequately and appropriately addressed by the public health workforce otherwise available.

“(ii) An assurance that the public health emergency would be addressed more efficiently and effectively through the requested temporary reassignment of State and local personnel described in paragraph (1).

“(iii) An assurance that the requested temporary reassignment of personnel is consistent with any applicable All-Hazards Public Health Emergency Preparedness and Response Plan under section 319C–1.

“(iv) An identification of—

“(I) each Federal program from which personnel would be temporarily reassigned pursuant to the requested authority; and

“(II) the number of personnel who would be so reassigned from each such program.

“(v) Such other information and assurances upon which the Secretary and Governor of a State or tribal organization agree.

“(C) CONSIDERATION.—In reviewing a request for temporary reassignment under paragraph (1), the Secretary shall consider the degree to which the program or programs funded in whole or in part by programs authorized under this Act would be adversely affected by the reassignment.

“(D) TERMINATION AND EXTENSION.—

“(i) TERMINATION.—A State or Indian tribe's temporary reassignment of personnel under paragraph (1) shall terminate upon the earlier of the following:

“(I) The Secretary's determination that the public health emergency no longer exists.

“(II) Subject to clause (ii), the expiration of the 30-day period following the date on which the Secretary approved the State or Indian tribe's request for such reassignment flexibility.

“(ii) EXTENSION OF REASSIGNMENT FLEXIBILITY.—The Secretary may extend reassignment flexibility of personnel under paragraph (1) beyond the date otherwise applicable under clause (i)(II) if the public health emergency still exists as of such date, but only if—

“(I) the State or Indian tribe that submitted the initial request for a temporary reassignment of personnel submits a request for an extension of such temporary reassignment; and

“(II) the request for an extension contains the same information and assurances necessary for the approval of an initial request for such temporary reassignment pursuant to subparagraph (B).

“(3) VOLUNTARY NATURE OF TEMPORARY REASSIGNMENT OF STATE AND LOCAL PERSONNEL.—

“(A) IN GENERAL.—Unless otherwise provided under the law or regulation of the State or Indian tribe that receives authorization for temporary reassignment of personnel under paragraph (1), personnel eligible for reassignment pursuant to such authorization—

“(i) shall have the opportunity to volunteer for temporary reassignment; and

“(ii) shall not be required to agree to a temporary reassignment.

“(B) PROHIBITION ON CONDITIONING FEDERAL AWARDS.—The Secretary may not condition the award of a grant, contract, or cooperative agreement under this Act on the requirement that a State or Indian tribe require that personnel eligible for reassignment pursuant to an authorization under paragraph (1) agree to such reassignment.

“(4) NOTICE TO CONGRESS.—The Secretary shall give notice to the Congress in conjunction with the approval under this subsection of—

“(A) any initial request for temporary reassignment of personnel; and

“(B) any request for an extension of such temporary reassignment.

“(5) GUIDANCE.—The Secretary shall—

“(A) not later than 6 months after the enactment of this subsection, issue proposed guidance on the temporary reassignment of personnel under this subsection; and

“(B) after providing notice and a 60-day period for public comment, finalize such guidance.

“(6) REPORT TO CONGRESS.—Not later than 4 years after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Comptroller General of the United States shall conduct an independent evaluation, and submit to the appropriate committees of the Congress a report, on temporary reassignment under this subsection, including—

“(A) a description of how, and under what circumstances, such temporary reassignment has been used by States and Indian tribes;

“(B) an analysis of how such temporary reassignment has assisted States and Indian tribes in responding to public health emergencies;

“(C) an evaluation of how such temporary reassignment has improved operational efficiencies in responding to public health emergencies;

“(D) an analysis of the extent to which, if any, Federal programs from which personnel have been temporarily reassigned have been adversely affected by the reassignment; and

“(E) recommendations on how medical surge capacity could be improved in responding to public health emergencies and the impact of the reassignment flexibility under this section on such surge capacity.

“(7) DEFINITIONS.—In this subsection—

“(A) the terms ‘Indian tribe’ and ‘tribal organization’ have the meanings given such terms in section 4 of the Indian Self-Determination and Education Assistance Act; and

“(B) the term ‘State’ includes, in addition to the entities listed in the definition of such term in section 2, the Freely Associated States.

“(8) SUNSET.—This subsection shall terminate on September 30, 2018.”.

## SEC. 202. IMPROVING STATE AND LOCAL PUBLIC HEALTH SECURITY.

(a) COOPERATIVE AGREEMENTS.—Section 319C–1 of the Public Health Service Act (42 U.S.C. 247d–3a) is amended—

(1) in subsection (b)(1)(C), by striking “consortium of entities described in subparagraph (A)” and inserting “consortium of States”;

(2) in subsection (b)(2)—

(A) in subparagraph (A)—

(i) by striking clauses (i) and (ii) and inserting the following:

“(i) a description of the activities such entity will carry out under the agreement to meet the goals identified under section 2802, including with respect to chemical, biological, radiological, or nuclear threats, whether naturally occurring, unintentional, or deliberate;

“(ii) a description of the activities such entity will carry out with respect to pandemic influenza, as a component of the activities carried out under clause (i), and consistent with the requirements of paragraphs (2) and (5) of subsection (g);”;

(ii) in clause (iv), by striking “and” at the end; and

(iii) by adding at the end the following:

“(vi) a description of how, as appropriate, the entity may partner with relevant public and private stakeholders in public health emergency preparedness and response;

“(vii) a description of how the entity, as applicable and appropriate, will coordinate with State emergency preparedness and response plans in public health emergency preparedness, including State educational agencies (as defined in section 9101(41) of the Elementary and Secondary Education Act of 1965) and State child care lead agencies (designated under section 658D of the Child Care and Development Block Grant Act of 1990);

“(viii) in the case of entities that operate on the United States-Mexico border or the United States-Canada border, a description of the activities such entity will carry out under the agreement that are specific to the border area including disease detection, identification, investigation, and preparedness and response activities related to emerging diseases and infec-

tious disease outbreaks whether naturally occurring or due to bioterrorism, consistent with the requirements of this section; and

“(ix) a description of any activities that such entity will use to analyze real-time clinical specimens for pathogens of public health or bioterrorism significance, including any utilization of poison control centers;”;

(B) in subparagraph (C), by inserting “, including addressing the needs of at-risk individuals,” after “capabilities of such entity”;

(3) in subsection (f)—

(A) in paragraph (2), by adding “and” at the end;

(B) in paragraph (3), by striking “; and” and inserting a period; and

(C) by striking paragraph (4);

(4) in subsection (g)—

(A) in paragraph (1), by striking subparagraph (A) and inserting the following:

“(A) include outcome goals representing operational achievements of the National Preparedness Goals developed under section 2802(b) with respect to all-hazards, including chemical, biological, radiological, or nuclear threats; and”;

(B) in paragraph (2)(A), by adding at the end the following: “The Secretary shall periodically update, as necessary and appropriate, such pandemic influenza plan criteria and shall require the integration of such criteria into the benchmarks and standards described in paragraph (1).”;

(5) by striking subsection (h);

(6) by redesignating subsections (i), (j), and (k) as subsections (h), (i), and (j), respectively;

(7) in subsection (h), as so redesignated—

(A) in paragraph (1)—

(i) in subparagraph (A)—

(I) by striking “\$824,000,000 for fiscal year 2007, of which \$35,000,000 shall be used to carry out subsection (h),” and inserting “\$641,900,000 for fiscal year 2014”; and

(II) by striking “such sums as may be necessary for each of fiscal years 2008 through 2011” and inserting “\$641,900,000 for each of fiscal years 2015 through 2018”;

(ii) by striking subparagraph (B);

(iii) by redesignating subparagraphs (C) and (D) as subparagraphs (B) and (C), respectively; and

(iv) in subparagraph (C), as so redesignated, by striking “subparagraph (C)” and inserting “subparagraph (B)”;

(B) in subparagraphs (C) and (D) of paragraph (3), by striking “(1)(A)(i)(I)” each place it appears and inserting “(1)(A)”;

(C) in paragraph (4)(B), by striking “subsection (c)” and inserting “subsection (b)”;

(D) by adding at the end the following:

“(7) AVAILABILITY OF COOPERATIVE AGREEMENT FUNDS.—

“(A) IN GENERAL.—Amounts provided to an eligible entity under a cooperative agreement under subsection (a) for a fiscal year and remaining unobligated at the end of such year shall remain available to such entity for the next fiscal year for the purposes for which such funds were provided.

“(B) FUNDS CONTINGENT ON ACHIEVING BENCHMARKS.—The continued availability of funds under subparagraph (A) with respect to an entity shall be contingent upon such entity achieving the benchmarks and submitting the pandemic influenza plan as described in subsection (g).”;

(8) in subsection (i), as so redesignated—

(A) in paragraph (1)(E), by striking “subsection (k)” and inserting “subsection (j)”;

(B) by striking paragraph (3).

(b) VACCINE TRACKING AND DISTRIBUTION.—Section 319A(e) of the Public Health Service Act (42 U.S.C. 247d–1(e)) is amended by striking “such sums for each of fiscal years 2007 through 2011” and inserting “\$30,800,000 for each of fiscal years 2014 through 2018”.

(c) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) Section 319C-1(b)(1)(B) of the Public Health Service Act (42 U.S.C. 247d-3a(b)(1)(B)) is amended by striking “subsection (i)(4)” and inserting “subsection (h)(4)”.

(2) Section 319C-2 of the Public Health Service Act (42 U.S.C. 247d-3b) is amended—

(A) in subsection (i), by striking “(j), and (k)” and inserting “(i), and (j)”;

(B) in subsection (j)(3), by striking “319C-1(i)” and inserting “319C-1(h)”.

#### SEC. 203. HOSPITAL PREPAREDNESS AND MEDICAL SURGE CAPACITY.

(a) ALL-HAZARDS PUBLIC HEALTH AND MEDICAL RESPONSE CURRICULA AND TRAINING.—Section 319F(a)(5)(B) of the Public Health Service Act (42 U.S.C. 247d-6(a)(5)(B)) is amended by striking “public health or medical” and inserting “public health, medical, or dental”.

(b) ENCOURAGING HEALTH PROFESSIONAL VOLUNTEERS.—

(1) EMERGENCY SYSTEM FOR ADVANCE REGISTRATION OF VOLUNTEER HEALTH PROFESSIONALS.—Section 319I(k) of the Public Health Service Act (42 U.S.C. 247d-7b(k)) is amended by striking “\$2,000,000 for fiscal year 2002, and such sums as may be necessary for each of the fiscal years 2003 through 2011” and inserting “\$5,000,000 for each of fiscal years 2014 through 2018”.

(2) VOLUNTEERS.—Section 2813 of the Public Health Service Act (42 U.S.C. 300hh-15) is amended—

(A) in subsection (d)(2), by adding at the end the following: “Such training exercises shall, as appropriate and applicable, incorporate the needs of at-risk individuals in the event of a public health emergency.”; and

(B) in subsection (i), by striking “\$22,000,000 for fiscal year 2007, and such sums as may be necessary for each of fiscal years 2008 through 2011” and inserting “\$11,200,000 for each of fiscal years 2014 through 2018”.

(c) PARTNERSHIPS FOR STATE AND REGIONAL PREPAREDNESS TO IMPROVE SURGE CAPACITY.—Section 319C-2 of the Public Health Service Act (42 U.S.C. 247d-3b) is amended—

(1) in subsection (a), by inserting “, including, as appropriate, capacity and preparedness to address the needs of children and other at-risk individuals” before the period at the end;

(2) in subsection (b)(1)(A)(ii), by striking “centers, primary” and inserting “centers, community health centers, primary”;

(3) by striking subsection (c) and inserting the following:

“(c) USE OF FUNDS.—An award under subsection (a) shall be expended for activities to achieve the preparedness goals described under paragraphs (1), (3), (4), (5), and (6) of section 2802(b) with respect to all-hazards, including chemical, biological, radiological, or nuclear threats.”;

(4) by striking subsection (g) and inserting the following:

“(g) COORDINATION.—

“(1) LOCAL RESPONSE CAPABILITIES.—An eligible entity shall, to the extent practicable, ensure that activities carried out under an award under subsection (a) are coordinated with activities of relevant local Metropolitan Medical Response Systems, local Medical Reserve Corps, the local Cities Readiness Initiative, and local emergency plans.

“(2) NATIONAL COLLABORATION.—Partnerships consisting of one or more eligible entities under this section may, to the extent practicable, collaborate with other partnerships consisting of one or more eligible entities under this section for purposes of national coordination and collaboration with respect to activities to achieve the preparedness goals described under paragraphs (1), (3), (4), (5), and (6) of section 2802(b).”;

(5) in subsection (i)—

(A) by striking “The requirements of” and inserting the following:

“(1) IN GENERAL.—The requirements of”; and

(B) by adding at the end the following:

“(2) MEETING GOALS OF NATIONAL HEALTH SECURITY STRATEGY.—The Secretary shall implement objective, evidence-based metrics to ensure that entities receiving awards under this section are meeting, to the extent practicable, the applicable goals of the National Health Security Strategy under section 2802.”; and

(6) in subsection (j)—

(A) by amending paragraph (1) to read as follows:

“(1) IN GENERAL.—For purposes of carrying out this section, there is authorized to be appropriated \$374,700,000 for each of fiscal years 2014 through 2018.”; and

(B) by adding at the end the following:

“(4) AVAILABILITY OF COOPERATIVE AGREEMENT FUNDS.—

“(A) IN GENERAL.—Amounts provided to an eligible entity under a cooperative agreement under subsection (a) for a fiscal year and remaining unobligated at the end of such year shall remain available to such entity for the next fiscal year for the purposes for which such funds were provided.

“(B) FUNDS CONTINGENT ON ACHIEVING BENCHMARKS.—The continued availability of funds under subparagraph (A) with respect to an entity shall be contingent upon such entity achieving the benchmarks and submitting the pandemic influenza plan as required under subsection (i).”.

#### SEC. 204. ENHANCING SITUATIONAL AWARENESS AND BIOSURVEILLANCE.

(a) IN GENERAL.—Section 319D of the Public Health Service Act (42 U.S.C. 247d-4) is amended—

(1) in subsection (b)—

(A) in paragraph (1)(B), by inserting “poison control centers,” after “hospitals.”;

(B) in paragraph (2), by inserting before the period at the end the following: “, allowing for coordination to maximize all-hazards medical and public health preparedness and response and to minimize duplication of effort”; and

(C) in paragraph (3), by inserting before the period at the end the following: “and update such standards as necessary”;

(2) by striking subsection (c);

(3) by redesignating subsections (d) through (g) as subsections (c) through (f), respectively;

(4) in subsection (c), as so redesignated—

(A) in the subsection heading, by striking “PUBLIC HEALTH SITUATIONAL AWARENESS” and inserting “MODERNIZING PUBLIC HEALTH SITUATIONAL AWARENESS AND BIOSURVEILLANCE”;

(B) in paragraph (1)—

(i) by striking “Pandemic and All-Hazards Preparedness Act” and inserting “Pandemic and All-Hazards Preparedness Reauthorization Act of 2013”; and

(ii) by inserting “, novel emerging threats,” after “disease outbreaks”;

(C) by striking paragraph (2) and inserting the following:

“(2) STRATEGY AND IMPLEMENTATION PLAN.—Not later than 180 days after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Secretary shall submit to the appropriate committees of Congress a coordinated strategy and an accompanying implementation plan that identifies and demonstrates the measurable steps the Secretary will carry out to—

“(A) develop, implement, and evaluate the network described in paragraph (1), utilizing the elements described in paragraph (3);

“(B) modernize and enhance biosurveillance activities; and

“(C) improve information sharing, coordination, and communication among disparate biosurveillance systems supported by the Department of Health and Human Services.”;

(D) in paragraph (3)(D), by inserting “community health centers, health centers” after “poison control.”;

(E) in paragraph (5), by striking subparagraph (A) and inserting the following:

“(A) utilize applicable interoperability standards as determined by the Secretary, and in con-

sultation with the Office of the National Coordinator for Health Information Technology, through a joint public and private sector process.”; and

(F) by adding at the end the following:

“(6) CONSULTATION WITH THE NATIONAL BIODEFENSE SCIENCE BOARD.—In carrying out this section and consistent with section 319M, the National Biodefense Science Board shall provide expert advice and guidance, including recommendations, regarding the measurable steps the Secretary should take to modernize and enhance biosurveillance activities pursuant to the efforts of the Department of Health and Human Services to ensure comprehensive, real-time, all-hazards biosurveillance capabilities. In complying with the preceding sentence, the National Biodefense Science Board shall—

“(A) identify the steps necessary to achieve a national biosurveillance system for human health, with international connectivity, where appropriate, that is predicated on State, regional, and community level capabilities and creates a networked system to allow for two-way information flow between and among Federal, State, and local government public health authorities and clinical health care providers;

“(B) identify any duplicative surveillance programs under the authority of the Secretary, or changes that are necessary to existing programs, in order to enhance and modernize such activities, minimize duplication, strengthen and streamline such activities under the authority of the Secretary, and achieve real-time and appropriate data that relate to disease activity, both human and zoonotic; and

“(C) coordinate with applicable existing advisory committees of the Director of the Centers for Disease Control and Prevention, including such advisory committees consisting of representatives from State, local, and tribal public health authorities and appropriate public and private sector health care entities and academic institutions, in order to provide guidance on public health surveillance activities.”;

(5) in subsection (d), as so redesignated—

(A) in paragraph (1), by striking “subsection (d)” and inserting “subsection (c)”;

(B) in paragraph (4)(B), by striking “subsection (d)” and inserting “subsection (c)”;

(C) in paragraph (5)—

(i) by striking “4 years after the date of enactment of the Pandemic and All-Hazards Preparedness Act” and inserting “3 years after the date of enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013”; and

(ii) by striking “subsection (d)” and inserting “subsection (c)”;

(6) in subsection (f), as so redesignated, by striking “such sums as may be necessary in each of fiscal years 2007 through 2011” and inserting “\$138,300,000 for each of fiscal years 2014 through 2018”; and

(7) by adding at the end the following:

“(g) DEFINITION.—For purposes of this section the term ‘biosurveillance’ means the process of gathering near real-time biological data that relates to human and zoonotic disease activity and threats to human or animal health, in order to achieve early warning and identification of such health threats, early detection and prompt ongoing tracking of health events, and overall situational awareness of disease activity.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—Section 319C-1(b)(2)(D) of the Public Health Service Act (42 U.S.C. 247d-3a(b)(2)(D)) is amended by striking “section 319D(d)(3)” and inserting “section 319D(c)(3)”.

#### SEC. 205. ELIMINATING DUPLICATIVE PROJECT BIOSHIELD REPORTS.

Section 5 of the Project Bioshield Act of 2004 (42 U.S.C. 247d-6c) is repealed.

#### TITLE III—ENHANCING MEDICAL COUNTERMEASURE REVIEW

##### SEC. 301. SPECIAL PROTOCOL ASSESSMENT.

Section 505(b)(5)(B) of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355(b)(5)(B))

is amended by striking “size of clinical trials intended” and all that follows through “. The sponsor or applicant” and inserting the following: “size—

“(i)(I) of clinical trials intended to form the primary basis of an effectiveness claim; or

“(II) in the case where human efficacy studies are not ethical or feasible, of animal and any associated clinical trials which, in combination, are intended to form the primary basis of an effectiveness claim; or

“(ii) with respect to an application for approval of a biological product under section 351(k) of the Public Health Service Act, of any necessary clinical study or studies. The sponsor or applicant”.

**SEC. 302. AUTHORIZATION FOR MEDICAL PRODUCTS FOR USE IN EMERGENCIES.**

(a) IN GENERAL.—Section 564 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb–3) is amended—

(1) in subsection (a)—

(A) in paragraph (1), by striking “sections 505, 510(k), and 515 of this Act” and inserting “any provision of this Act”;

(B) in paragraph (2)(A), by striking “under a provision of law referred to in such paragraph” and inserting “under section 505, 510(k), or 515 of this Act or section 351 of the Public Health Service Act”; and

(C) in paragraph (3), by striking “a provision of law referred to in such paragraph” and inserting “a section of this Act or the Public Health Service Act referred to in paragraph (2)(A)”;

(2) in subsection (b)—

(A) in the subsection heading, by striking “EMERGENCY” and inserting “EMERGENCY OR THREAT JUSTIFYING EMERGENCY AUTHORIZED USE”;

(B) in paragraph (1)—

(i) in the matter preceding subparagraph (A), by striking “may declare an emergency” and inserting “may make a declaration that the circumstances exist”;

(ii) in subparagraph (A), by striking “specified”;

(iii) in subparagraph (B)—

(I) by striking “specified”; and

(II) by striking “; or” and inserting a semicolon;

(iv) by amending subparagraph (C) to read as follows:

“(C) a determination by the Secretary that there is a public health emergency, or a significant potential for a public health emergency, that affects, or has a significant potential to affect, national security or the health and security of United States citizens living abroad, and that involves a biological, chemical, radiological, or nuclear agent or agents, or a disease or condition that may be attributable to such agent or agents; or”;

(v) by adding at the end the following:

“(D) the identification of a material threat pursuant to section 319F–2 of the Public Health Service Act sufficient to affect national security or the health and security of United States citizens living abroad.”;

(C) in paragraph (2)—

(i) in subparagraph (A), by amending clause (ii) to read as follows:

“(ii) a change in the approval status of the product such that the circumstances described in subsection (a)(2) have ceased to exist.”;

(ii) by striking subparagraph (B); and

(iii) by redesignating subparagraph (C) as subparagraph (B);

(D) in paragraph (4), by striking “advance notice of termination, and renewal under this subsection.” and inserting “, and advance notice of termination under this subsection.”; and

(E) by adding at the end the following:

“(5) EXPLANATION BY SECRETARY.—If an authorization under this section with respect to an unapproved product or an unapproved use of an approved product has been in effect for more than 1 year, the Secretary shall provide in writ-

ing to the sponsor of such product an explanation of the scientific, regulatory, or other obstacles to approval, licensure, or clearance of such product or use, including specific actions to be taken by the Secretary and the sponsor to overcome such obstacles.”;

(3) in subsection (c)—

(A) in the matter preceding paragraph (1)—

(i) by inserting “the Assistant Secretary for Preparedness and Response,” after “consultation with”;

(ii) by striking “Health and” and inserting “Health, and”; and

(iii) by striking “circumstances of the emergency involved” and inserting “applicable circumstances described in subsection (b)(1)”;

(B) in paragraph (1), by striking “specified” and inserting “referred to”; and

(C) in paragraph (2)(B), by inserting “, taking into consideration the material threat posed by the agent or agents identified in a declaration under subsection (b)(1)(D), if applicable” after “risks of the product”;

(4) in subsection (d)(3), by inserting “, to the extent practicable given the circumstances of the emergency,” after “including”;

(5) in subsection (e)—

(A) in paragraph (1)(A), by striking “circumstances of the emergency” and inserting “applicable circumstances described in subsection (b)(1)”;

(B) in paragraph (1)(B), by amending clause (iii) to read as follows:

“(iii) Appropriate conditions with respect to collection and analysis of information concerning the safety and effectiveness of the product with respect to the use of such product during the period when the authorization is in effect and a reasonable time following such period.”;

(C) in paragraph (2)—

(i) in subparagraph (A)—

(I) by striking “manufacturer of the product” and inserting “person”;

(II) by striking “circumstances of the emergency” and inserting “applicable circumstances described in subsection (b)(1)”;

(III) by inserting at the end before the period “or in paragraph (1)(B)”;

(ii) in subparagraph (B)(i), by inserting before the period at the end “, except as provided in section 564A with respect to authorized changes to the product expiration date”;

(iii) by amending subparagraph (C) to read as follows:

“(C) In establishing conditions under this paragraph with respect to the distribution and administration of the product for the unapproved use, the Secretary shall not impose conditions that would restrict distribution or administration of the product when distributed or administered for the approved use.”; and

(D) by amending paragraph (3) to read as follows:

“(3) GOOD MANUFACTURING PRACTICE; PRESCRIPTION.—With respect to the emergency use of a product for which an authorization under this section is issued (whether an unapproved product or an unapproved use of an approved product), the Secretary may waive or limit, to the extent appropriate given the applicable circumstances described in subsection (b)(1)—

“(A) requirements regarding current good manufacturing practice otherwise applicable to the manufacture, processing, packing, or holding of products subject to regulation under this Act, including such requirements established under section 501 or 520(f)(1), and including relevant conditions prescribed with respect to the product by an order under section 520(f)(2);

“(B) requirements established under section 503(b); and

“(C) requirements established under section 520(e).”;

(6) in subsection (g)—

(A) in the subsection heading, by inserting “REVIEW AND” before “REVOCATION”;

(B) in paragraph (1), by inserting after the period at the end the following: “As part of such

review, the Secretary shall regularly review the progress made with respect to the approval, licensure, or clearance of—

“(A) an unapproved product for which an authorization was issued under this section; or

“(B) an unapproved use of an approved product for which an authorization was issued under this section.”; and

(C) by amending paragraph (2) to read as follows:

“(2) REVISION AND REVOCATION.—The Secretary may revise or revoke an authorization under this section if—

“(A) the circumstances described under subsection (b)(1) no longer exist;

“(B) the criteria under subsection (c) for issuance of such authorization are no longer met; or

“(C) other circumstances make such revision or revocation appropriate to protect the public health or safety.”;

(7) in subsection (h)(1), by adding after the period at the end the following: “The Secretary shall make any revisions to an authorization under this section available on the Internet Web site of the Food and Drug Administration.”;

(8) by adding at the end of subsection (j) the following:

“(4) Nothing in this section shall be construed as authorizing a delay in the review or other consideration by the Secretary of any application or submission pending before the Food and Drug Administration for a product for which an authorization under this section is issued.”; and

(9) by adding at the end the following:

“(m) CATEGORIZATION OF LABORATORY TESTS ASSOCIATED WITH DEVICES SUBJECT TO AUTHORIZATION.—

“(1) IN GENERAL.—In issuing an authorization under this section with respect to a device, the Secretary may, subject to the provisions of this section, determine that a laboratory examination or procedure associated with such device shall be deemed, for purposes of section 353 of the Public Health Service Act, to be in a particular category of examinations and procedures (including the category described by subsection (d)(3) of such section) if, based on the totality of scientific evidence available to the Secretary—

“(A) such categorization would be beneficial to protecting the public health; and

“(B) the known and potential benefits of such categorization under the circumstances of the authorization outweigh the known and potential risks of the categorization.

“(2) CONDITIONS OF DETERMINATION.—The Secretary may establish appropriate conditions on the performance of the examination or procedure pursuant to such determination.

“(3) EFFECTIVE PERIOD.—A determination under this subsection shall be effective for purposes of section 353 of the Public Health Service Act notwithstanding any other provision of that section during the effective period of the relevant declaration under subsection (b).”.

(b) EMERGENCY USE OF MEDICAL PRODUCTS.—Subchapter E of chapter V of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb et seq.) is amended by inserting after section 564 the following:

**“SEC. 564A. EMERGENCY USE OF MEDICAL PRODUCTS.**

“(a) DEFINITIONS.—In this section:

“(1) ELIGIBLE PRODUCT.—The term ‘eligible product’ means a product that—

“(A) is approved or cleared under this chapter or licensed under section 351 of the Public Health Service Act;

“(B)(i) is intended for use to prevent, diagnose, or treat a disease or condition involving a biological, chemical, radiological, or nuclear agent or agents; or

“(ii) is intended for use to prevent, diagnose, or treat a serious or life-threatening disease or condition caused by a product described in clause (i); and

“(C) is intended for use during the circumstances under which—



“(i) a determination described in subparagraph (A), (B), or (C) of section 564(b)(1) has been made by the Secretary of Homeland Security, the Secretary of Defense, or the Secretary, respectively; or

“(ii) the identification of a material threat described in subparagraph (D) of section 564(b)(1) has been made pursuant to section 319F-2 of the Public Health Service Act.

“(2) **PRODUCT.**—The term ‘product’ means a drug, device, or biological product.

“(b) **EXPIRATION DATING.**—

“(1) **IN GENERAL.**—The Secretary may extend the expiration date and authorize the introduction or delivery for introduction into interstate commerce of an eligible product after the expiration date provided by the manufacturer if—

“(A) the expiration date extension is intended to support the United States ability to protect—

“(i) the public health; or

“(ii) military preparedness and effectiveness; and

“(B) the expiration date extension is supported by an appropriate scientific evaluation that is conducted or accepted by the Secretary.

“(2) **REQUIREMENTS AND CONDITIONS.**—Any extension of an expiration date under paragraph (1) shall, as part of the extension, identify—

“(A) each specific lot, batch, or other unit of the product for which extended expiration is authorized; and

“(B) the duration of the extension; and

“(C) any other requirements or conditions as the Secretary may deem appropriate for the protection of the public health, which may include requirements for, or conditions on, product sampling, storage, packaging or repackaging, transport, labeling, notice to product recipients, recordkeeping, periodic testing or retesting, or product disposition.

“(3) **EFFECT.**—Notwithstanding any other provision of this Act or the Public Health Service Act, an eligible product shall not be considered an unapproved product (as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because, with respect to such product, the Secretary has, under paragraph (1), extended the expiration date and authorized the introduction or delivery for introduction into interstate commerce of such product after the expiration date provided by the manufacturer.

“(4) **EXPIRATION DATE.**—For purposes of this subsection, the term ‘expiration date’ means the date established through appropriate stability testing required by the regulations issued by the Secretary to ensure that the product meets applicable standards of identity, strength, quality, and purity at the time of use.

“(c) **CURRENT GOOD MANUFACTURING PRACTICE.**—

“(1) **IN GENERAL.**—The Secretary may, when the circumstances of a domestic, military, or public health emergency or material threat described in subsection (a)(1)(C) so warrant, authorize, with respect to an eligible product, deviations from current good manufacturing practice requirements otherwise applicable to the manufacture, processing, packing, or holding of products subject to regulation under this Act, including requirements under section 501 or 520(f)(1) or applicable conditions prescribed with respect to the eligible product by an order under section 520(f)(2).

“(2) **EFFECT.**—Notwithstanding any other provision of this Act or the Public Health Service Act, an eligible product shall not be considered an unapproved product (as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because, with respect to such product, the Secretary has authorized deviations from current good manufacturing practices under paragraph (1).

“(d) **EMERGENCY DISPENSING.**—The requirements of sections 503(b) and 520(e) shall not apply to an eligible product, and the product shall not be considered an unapproved product

(as defined in section 564(a)(2)(A)) and shall not be deemed adulterated or misbranded under this Act because it is dispensed without an individual prescription, if—

“(1) the product is dispensed during the circumstances described in subsection (a)(1)(C); and

“(2) such dispensing without an individual prescription occurs—

“(A) as permitted under the law of the State in which the product is dispensed; or

“(B) in accordance with an order issued by the Secretary, for the purposes and duration of the circumstances described in subsection (a)(1)(C).

“(e) **EMERGENCY USE INSTRUCTIONS.**—

“(1) **IN GENERAL.**—The Secretary, acting through an appropriate official within the Department of Health and Human Services, may create and issue emergency use instructions to inform health care providers or individuals to whom an eligible product is to be administered concerning such product’s approved, licensed, or cleared conditions of use.

“(2) **EFFECT.**—Notwithstanding any other provisions of this Act or the Public Health Service Act, a product shall not be considered an unapproved product and shall not be deemed adulterated or misbranded under this Act because of the issuance of emergency use instructions under paragraph (1) with respect to such product or the introduction or delivery for introduction of such product into interstate commerce accompanied by such instructions—

“(A) during an emergency response to an actual emergency that is the basis for a determination described in subsection (a)(1)(C)(i); or

“(B) by a government entity (including a Federal, State, local, or tribal government entity), or a person acting on behalf of such a government entity, in preparation for an emergency response.”

(c) **RISK EVALUATION AND MITIGATION STRATEGIES.**—Section 505-1 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355-1), is amended—

(1) in subsection (f), by striking paragraph (7); and

(2) by adding at the end the following:

“(k) **WAIVER IN PUBLIC HEALTH EMERGENCIES.**—The Secretary may waive any requirement of this section with respect to a qualified countermeasure (as defined in section 319F-1(a)(2) of the Public Health Service Act) to which a requirement under this section has been applied, if the Secretary determines that such waiver is required to mitigate the effects of, or reduce the severity of, the circumstances under which—

“(1) a determination described in subparagraph (A), (B), or (C) of section 564(b)(1) has been made by the Secretary of Homeland Security, the Secretary of Defense, or the Secretary, respectively; or

“(2) the identification of a material threat described in subparagraph (D) of section 564(b)(1) has been made pursuant to section 319F-2 of the Public Health Service Act.”

(d) **PRODUCTS HELD FOR EMERGENCY USE.**—The Federal Food, Drug, and Cosmetic Act (21 U.S.C. 301 et seq.) is amended by inserting after section 564A, as added by subsection (b), the following:

“**SEC. 564B. PRODUCTS HELD FOR EMERGENCY USE.**

“It is not a violation of any section of this Act or of the Public Health Service Act for a government entity (including a Federal, State, local, or tribal government entity), or a person acting on behalf of such a government entity, to introduce into interstate commerce a product (as defined in section 564(a)(4)) intended for emergency use, if that product—

“(1) is intended to be held and not used; and

“(2) is held and not used, unless and until that product—

“(A) is approved, cleared, or licensed under section 505, 510(k), or 515 of this Act or section 351 of the Public Health Service Act;

“(B) is authorized for investigational use under section 505 or 520 of this Act or section 351 of the Public Health Service Act; or

“(C) is authorized for use under section 564.”

**SEC. 303. DEFINITIONS.**

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-4) is amended by striking “The Secretary, in consultation” and inserting the following:

“(a) **DEFINITIONS.**—In this section—

“(1) the term ‘countermeasure’ means a qualified countermeasure, a security countermeasure, and a qualified pandemic or epidemic product; and

“(2) the term ‘qualified countermeasure’ has the meaning given such term in section 319F-1 of the Public Health Service Act;

“(3) the term ‘security countermeasure’ has the meaning given such term in section 319F-2 of such Act; and

“(4) the term ‘qualified pandemic or epidemic product’ means a product that meets the definition given such term in section 319F-3 of the Public Health Service Act and—

“(A) that has been identified by the Department of Health and Human Services or the Department of Defense as receiving funding directly related to addressing chemical, biological, radiological, or nuclear threats, including pandemic influenza; or

“(B) is included under this paragraph pursuant to a determination by the Secretary.

“(b) **GENERAL DUTIES.**—The Secretary, in consultation”

**SEC. 304. ENHANCING MEDICAL COUNTERMEASURE ACTIVITIES.**

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-4), as amended by section 303, is further amended—

(1) in the section heading, by striking “**TECHNICAL ASSISTANCE**” and inserting “**COUNTERMEASURE DEVELOPMENT, REVIEW, AND TECHNICAL ASSISTANCE**”; and

(2) in subsection (b), by striking the subsection enumerator and all that follows through “shall establish” and inserting the following:

“(b) **GENERAL DUTIES.**—In order to accelerate the development, stockpiling, approval, licensure, and clearance of qualified countermeasures, security countermeasures, and qualified pandemic or epidemic products, the Secretary, in consultation with the Assistant Secretary for Preparedness and Response, shall—

“(1) ensure the appropriate involvement of Food and Drug Administration personnel in interagency activities related to countermeasure advanced research and development, consistent with sections 319F, 319F-1, 319F-2, 319F-3, 319L, and 2811 of the Public Health Service Act;

“(2) ensure the appropriate involvement and consultation of Food and Drug Administration personnel in any flexible manufacturing activities carried out under section 319L of the Public Health Service Act, including with respect to meeting regulatory requirements set forth in this Act;

“(3) promote countermeasure expertise within the Food and Drug Administration by—

“(A) ensuring that Food and Drug Administration personnel involved in reviewing countermeasures for approval, licensure, or clearance are informed by the Assistant Secretary for Preparedness and Response on the material threat assessment conducted under section 319F-2 of the Public Health Service Act for the agent or agents for which the countermeasure under review is intended;

“(B) training Food and Drug Administration personnel regarding review of countermeasures for approval, licensure, or clearance;

“(C) holding public meetings at least twice annually to encourage the exchange of scientific ideas; and

“(D) establishing protocols to ensure that countermeasure reviewers have sufficient training or experience with countermeasures;

“(4) maintain teams, composed of Food and Drug Administration personnel with expertise



on countermeasures, including specific countermeasures, populations with special clinical needs (including children and pregnant women that may use countermeasures, as applicable and appropriate), classes or groups of countermeasures, or other countermeasure-related technologies and capabilities, that shall—

“(A) consult with countermeasure experts, including countermeasure sponsors and applicants, to identify and help resolve scientific issues related to the approval, licensure, or clearance of countermeasures, through workshops or public meetings; and

“(B) improve and advance the science relating to the development of new tools, standards, and approaches to assessing and evaluating countermeasures—

“(i) in order to inform the process for countermeasure approval, clearance, and licensure; and

“(ii) with respect to the development of countermeasures for populations with special clinical needs, including children and pregnant women, in order to meet the needs of such populations, as necessary and appropriate; and

“(5) establish”; and

(3) by adding at the end the following:

“(c) FINAL GUIDANCE ON DEVELOPMENT OF ANIMAL MODELS.—

“(1) IN GENERAL.—Not later than 1 year after the date of the enactment of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, the Secretary shall provide final guidance to industry regarding the development of animal models to support approval, clearance, or licensure of countermeasures referred to in subsection (a) when human efficacy studies are not ethical or feasible.

“(2) AUTHORITY TO EXTEND DEADLINE.—The Secretary may extend the deadline for providing final guidance under paragraph (1) by not more than 6 months upon submission by the Secretary of a report on the status of such guidance to the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate.

“(d) DEVELOPMENT AND ANIMAL MODELING PROCEDURES.—

“(1) AVAILABILITY OF ANIMAL MODEL MEETINGS.—To facilitate the timely development of animal models and support the development, stockpiling, licensure, approval, and clearance of countermeasures, the Secretary shall, not later than 180 days after the enactment of this subsection, establish a procedure by which a sponsor or applicant that is developing a countermeasure for which human efficacy studies are not ethical or practicable, and that has an approved investigational new drug application or investigational device exemption, may request and receive—

“(A) a meeting to discuss proposed animal model development activities; and

“(B) a meeting prior to initiating pivotal animal studies.

“(2) PEDIATRIC MODELS.—To facilitate the development and selection of animal models that could translate to pediatric studies, any meeting conducted under paragraph (1) shall include discussion of animal models for pediatric populations, as appropriate.

“(e) REVIEW AND APPROVAL OF COUNTERMEASURES.—

“(1) MATERIAL THREAT.—When evaluating an application or submission for approval, licensure, or clearance of a countermeasure, the Secretary shall take into account the material threat posed by the chemical, biological, radiological, or nuclear agent or agents identified under section 319F-2 of the Public Health Service Act for which the countermeasure under review is intended.

“(2) REVIEW EXPERTISE.—When practicable and appropriate, teams of Food and Drug Administration personnel reviewing applications or submissions described under paragraph (1) shall include a reviewer with sufficient training or experience with countermeasures pursuant to the

protocols established under subsection (b)(3)(D).”.

#### SEC. 305. REGULATORY MANAGEMENT PLANS.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-4), as amended by section 304, is further amended by adding at the end the following:

“(f) REGULATORY MANAGEMENT PLAN.—

“(1) DEFINITION.—In this subsection, the term ‘eligible countermeasure’ means—

“(A) a security countermeasure with respect to which the Secretary has entered into a procurement contract under section 319F-2(c) of the Public Health Service Act; or

“(B) a countermeasure with respect to which the Biomedical Advanced Research and Development Authority has provided funding under section 319L of the Public Health Service Act for advanced research and development.

“(2) REGULATORY MANAGEMENT PLAN PROCESS.—The Secretary, in consultation with the Assistant Secretary for Preparedness and Response and the Director of the Biomedical Advanced Research and Development Authority, shall establish a formal process for obtaining scientific feedback and interactions regarding the development and regulatory review of eligible countermeasures by facilitating the development of written regulatory management plans in accordance with this subsection.

“(3) SUBMISSION OF REQUEST AND PROPOSED PLAN BY SPONSOR OR APPLICANT.—

“(A) IN GENERAL.—A sponsor or applicant of an eligible countermeasure may initiate the process described under paragraph (2) upon submission of a written request to the Secretary. Such request shall include a proposed regulatory management plan.

“(B) TIMING OF SUBMISSION.—A sponsor or applicant may submit a written request under subparagraph (A) after the eligible countermeasure has an investigational new drug or investigational device exemption in effect.

“(C) RESPONSE BY SECRETARY.—The Secretary shall direct the Food and Drug Administration, upon submission of a written request by a sponsor or applicant under subparagraph (A), to work with the sponsor or applicant to agree on a regulatory management plan within a reasonable time not to exceed 90 days. If the Secretary determines that no plan can be agreed upon, the Secretary shall provide to the sponsor or applicant, in writing, the scientific or regulatory rationale why such agreement cannot be reached.

“(4) PLAN.—The content of a regulatory management plan agreed to by the Secretary and a sponsor or applicant shall include—

“(A) an agreement between the Secretary and the sponsor or applicant regarding developmental milestones that will trigger responses by the Secretary as described in subparagraph (B);

“(B) performance targets and goals for timely and appropriate responses by the Secretary to the triggers described under subparagraph (A), including meetings between the Secretary and the sponsor or applicant, written feedback, decisions by the Secretary, and other activities carried out as part of the development and review process; and

“(C) an agreement on how the plan shall be modified, if needed.

“(5) MILESTONES AND PERFORMANCE TARGETS.—The developmental milestones described in paragraph (4)(A) and the performance targets and goals described in paragraph (4)(B) shall include—

“(A) feedback from the Secretary regarding the data required to support the approval, clearance, or licensure of the eligible countermeasure involved;

“(B) feedback from the Secretary regarding the data necessary to inform any authorization under section 564;

“(C) feedback from the Secretary regarding the data necessary to support the positioning and delivery of the eligible countermeasure, including to the Strategic National Stockpile;

“(D) feedback from the Secretary regarding the data necessary to support the submission of protocols for review under section 505(b)(5)(B);

“(E) feedback from the Secretary regarding any gaps in scientific knowledge that will need resolution prior to approval, licensure, or clearance of the eligible countermeasure and plans for conducting the necessary scientific research;

“(F) identification of the population for which the countermeasure sponsor or applicant seeks approval, licensure, or clearance and the population for which desired labeling would not be appropriate, if known; and

“(G) as necessary and appropriate, and to the extent practicable, a plan for demonstrating safety and effectiveness in pediatric populations, and for developing pediatric dosing, formulation, and administration with respect to the eligible countermeasure, provided that such plan would not delay authorization under section 564, approval, licensure, or clearance for adults.

“(6) PRIORITIZATION.—

“(A) PLANS FOR SECURITY COUNTERMEASURES.—The Secretary shall establish regulatory management plans for all security countermeasures for which a request is submitted under paragraph (3)(A).

“(B) PLANS FOR OTHER ELIGIBLE COUNTERMEASURES.—The Secretary shall determine whether resources are available to establish regulatory management plans for eligible countermeasures that are not security countermeasures. If resources are available to establish regulatory management plans for eligible countermeasures that are not security countermeasures, and if resources are not available to establish regulatory management plans for all eligible countermeasures for which requests have been submitted, the Director of the Biomedical Advanced Research and Development Authority, in consultation with the Commissioner, shall prioritize which eligible countermeasures may receive regulatory management plans.”.

#### SEC. 306. REPORT.

Section 565 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 360bbb-4), as amended by section 305, is further amended by adding at the end the following:

“(g) ANNUAL REPORT.—Not later than 180 days after the date of enactment of this subsection, and annually thereafter, the Secretary shall make publicly available on the Web site of the Food and Drug Administration a report that details the countermeasure development and review activities of the Food and Drug Administration, including—

“(1) with respect to the development of new tools, standards, and approaches to assess and evaluate countermeasures—

“(A) the identification of the priorities of the Food and Drug Administration and the progress made on such priorities; and

“(B) the identification of scientific gaps that impede the development, approval, licensure, or clearance of countermeasures for populations with special clinical needs, including children and pregnant women, and the progress made on resolving these challenges;

“(2) with respect to countermeasures for which a regulatory management plan has been agreed upon under subsection (f), the extent to which the performance targets and goals set forth in subsection (f)(4)(B) and the regulatory management plan have been met, including, for each such countermeasure—

“(A) whether the regulatory management plan was completed within the required timeframe, and the length of time taken to complete such plan;

“(B) whether the Secretary adhered to the timely and appropriate response times set forth in such plan; and

“(C) explanations for any failure to meet such performance targets and goals;

“(3) the number of regulatory teams established pursuant to subsection (b)(4), the number

of products, classes of products, or technologies assigned to each such team, and the number of, type of, and any progress made as a result of consultations carried out under subsection (b)(4)(A);

“(4) an estimate of resources obligated to countermeasure development and regulatory assessment, including—

“(A) Center-specific objectives and accomplishments; and

“(B) the number of full-time equivalent employees of the Food and Drug Administration who directly support the review of countermeasures;

“(5) the number of countermeasure applications and submissions submitted, the number of countermeasures approved, licensed, or cleared, the status of remaining submitted applications and submissions, and the number of each type of authorization issued pursuant to section 564;

“(6) the number of written requests for a regulatory management plan submitted under subsection (f)(3)(A), the number of regulatory management plans developed, and the number of such plans developed for security countermeasures; and

“(7) the number, type, and frequency of meetings between the Food and Drug Administration and—

“(A) sponsors of a countermeasure as defined in subsection (a); or

“(B) another agency engaged in development or management of portfolios for such countermeasures, including the Centers for Disease Control and Prevention, the Biomedical Advanced Research and Development Authority, the National Institutes of Health, and the appropriate agencies of the Department of Defense.”.

#### SEC. 307. PEDIATRIC MEDICAL COUNTERMEASURES.

(a) PEDIATRIC STUDIES OF DRUGS.—Section 505A of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355a) is amended—

(1) in subsection (d), by adding at the end the following:

“(5) CONSULTATION.—With respect to a drug that is a qualified countermeasure (as defined in section 319F-1 of the Public Health Service Act), a security countermeasure (as defined in section 319F-2 of the Public Health Service Act), or a qualified pandemic or epidemic product (as defined in section 319F-3 of the Public Health Service Act), the Secretary shall solicit input from the Assistant Secretary for Preparedness and Response regarding the need for and, from the Director of the Biomedical Advanced Research and Development Authority regarding the conduct of, pediatric studies under this section.”; and

(2) in subsection (n)(1), by adding at the end the following:

“(C) For a drug that is a qualified countermeasure (as defined in section 319F-1 of the Public Health Service Act), a security countermeasure (as defined in section 319F-2 of the Public Health Service Act), or a qualified pandemic or epidemic product (as defined in section 319F-3 of such Act), in addition to any action with respect to such drug under subparagraph (A) or (B), the Secretary shall notify the Assistant Secretary for Preparedness and Response and the Director of the Biomedical Advanced Research and Development Authority of all pediatric studies in the written request issued by the Commissioner of Food and Drugs.”.

(b) ADDITION TO PRIORITY LIST CONSIDERATIONS.—Section 409I of the Public Health Service Act (42 U.S.C. 284m) is amended—

(1) by striking subsection (a)(2) and inserting the following:

“(2) CONSIDERATION OF AVAILABLE INFORMATION.—In developing and prioritizing the list under paragraph (1), the Secretary—

“(A) shall consider—

“(i) therapeutic gaps in pediatrics that may include developmental pharmacology, pharmacogenetic determinants of drug response,

metabolism of drugs and biologics in children, and pediatric clinical trials;

“(ii) particular pediatric diseases, disorders or conditions where more complete knowledge and testing of therapeutics, including drugs and biologics, may be beneficial in pediatric populations; and

“(iii) the adequacy of necessary infrastructure to conduct pediatric pharmacological research, including research networks and trained pediatric investigators; and

“(B) may consider the availability of qualified countermeasures (as defined in section 319F-1), security countermeasures (as defined in section 319F-2), and qualified pandemic or epidemic products (as defined in section 319F-3) to address the needs of pediatric populations, in consultation with the Assistant Secretary for Preparedness and Response, consistent with the purposes of this section.”; and

(2) in subsection (b), by striking “subsection (a)” and inserting “paragraphs (1) and (2)(A) of subsection (a)”.

(c) ADVICE AND RECOMMENDATIONS OF THE PEDIATRIC ADVISORY COMMITTEE REGARDING COUNTERMEASURES FOR PEDIATRIC POPULATIONS.—Subsection (b)(2) of section 14 of the Best Pharmaceuticals for Children Act (42 U.S.C. 284m note) is amended—

(1) in subparagraph (C), by striking the period and inserting “; and”; and

(2) by adding at the end the following:

“(D) the development of countermeasures (as defined in section 565(a) of the Federal Food, Drug, and Cosmetic Act) for pediatric populations.”.

#### TITLE IV—ACCELERATING MEDICAL COUNTERMEASURE ADVANCED RESEARCH AND DEVELOPMENT

##### SEC. 401. BIOSHIELD.

(a) PROCUREMENT OF COUNTERMEASURES.—Section 319F-2(c) of the Public Health Service Act (42 U.S.C. 247d-6b(c)) is amended—

(1) in paragraph (1)(B)(i)(III)(bb), by striking “eight years” and inserting “10 years”; and

(2) in paragraph (2)(C), by striking “the designated congressional committees (as defined in paragraph (10))” and inserting “the appropriate committees of Congress”; and

(3) in paragraph (5)(B)(ii), by striking “eight years” and inserting “10 years”; and

(4) in subparagraph (C) of paragraph (6)—

(A) in the subparagraph heading, by striking “DESIGNATED CONGRESSIONAL COMMITTEES” and inserting “APPROPRIATE CONGRESSIONAL COMMITTEES”; and

(B) by striking “the designated congressional committees” and inserting “the appropriate congressional committees”; and

(5) in paragraph (7)(C)—

(A) in clause (i)(I), by inserting “including advanced research and development,” after “as may reasonably be required.”; and

(B) in clause (ii)—

(i) in subclause (III), by striking “eight years” and inserting “10 years”; and

(ii) by striking subclause (IX) and inserting the following:

“(IX) CONTRACT TERMS.—The Secretary, in any contract for procurement under this section—

“(aa) may specify—

“(AA) the dosing and administration requirements for the countermeasure to be developed and procured;

“(BB) the amount of funding that will be dedicated by the Secretary for advanced research, development, and procurement of the countermeasure; and

“(CC) the specifications the countermeasure must meet to qualify for procurement under a contract under this section; and

“(bb) shall provide a clear statement of defined Government purpose limited to uses related to a security countermeasure, as defined in paragraph (1)(B).”; and

(C) by adding at the end the following:

“(viii) FLEXIBILITY.—In carrying out this section, the Secretary may, consistent with the applicable provisions of this section, enter into contracts and other agreements that are in the best interest of the Government in meeting identified security countermeasure needs, including with respect to reimbursement of the cost of advanced research and development as a reasonable, allowable, and allocable direct cost of the contract involved.”.

(b) REAUTHORIZATION OF THE SPECIAL RESERVE FUND.—Section 319F-2 of the Public Health Service Act (42 U.S.C. 247d-6b) is amended—

(1) in subsection (c)—

(A) by striking “special reserve fund under paragraph (10)” each place it appears and inserting “special reserve fund as defined in subsection (h)”;

(B) by striking paragraphs (9) and (10); and

(2) by adding at the end the following:

“(g) SPECIAL RESERVE FUND.—

“(1) AUTHORIZATION OF APPROPRIATIONS.—In addition to amounts appropriated to the special reserve fund prior to the date of the enactment of this subsection, there is authorized to be appropriated, for the procurement of security countermeasures under subsection (c) and for carrying out section 319L (relating to the Biomedical Advanced Research and Development Authority), \$2,800,000,000 for the period of fiscal years 2014 through 2018. Amounts appropriated pursuant to the preceding sentence are authorized to remain available until September 30, 2019.

“(2) USE OF SPECIAL RESERVE FUND FOR ADVANCED RESEARCH AND DEVELOPMENT.—The Secretary may utilize not more than 50 percent of the amounts authorized to be appropriated under paragraph (1) to carry out section 319L (related to the Biomedical Advanced Research and Development Authority). Amounts authorized to be appropriated under this subsection to carry out section 319L are in addition to amounts otherwise authorized to be appropriated to carry out such section.

“(3) RESTRICTIONS ON USE OF FUNDS.—Amounts in the special reserve fund shall not be used to pay costs other than payments made by the Secretary to a vendor for advanced development (under section 319L) or for procurement of a security countermeasure under subsection (c)(7).

“(4) REPORT.—Not later than 30 days after any date on which the Secretary determines that the amount of funds in the special reserve fund available for procurement is less than \$1,500,000,000, the Secretary shall submit to the appropriate committees of Congress a report detailing the amount of such funds available for procurement and the impact such reduction in funding will have—

“(A) in meeting the security countermeasure needs identified under this section; and

“(B) on the annual Public Health Emergency Medical Countermeasures Enterprise and Strategy Implementation Plan (pursuant to section 2811(d)).

“(h) DEFINITIONS.—In this section:

“(1) The term ‘advanced research and development’ has the meaning given such term in section 319L(a).

“(2) The term ‘special reserve fund’ means the ‘Biodefense Countermeasures’ appropriations account, any appropriation made available pursuant to section 521(a) of the Homeland Security Act of 2002, and any appropriation made available pursuant to subsection (g)(1).”.

#### SEC. 402. BIOMEDICAL ADVANCED RESEARCH AND DEVELOPMENT AUTHORITY.

(a) DUTIES.—Section 319L(c)(4) of the Public Health Service Act (42 U.S.C. 247d-7e(c)(4)) is amended—

(1) in subparagraph (B)(iii), by inserting “(which may include advanced research and development for purposes of fulfilling requirements under the Federal Food, Drug, and Cosmetic Act or section 351 of this Act)” after “development”; and

(2) in subparagraph (D)(iii), by striking “and vaccine manufacturing technologies” and inserting “vaccine-manufacturing technologies, dose-sparing technologies, efficacy-increasing technologies, and platform technologies”.

(b) TRANSACTION AUTHORITIES.—Section 319L(c)(5) of the Public Health Service Act (42 U.S.C. 247d-7e(c)(5)) is amended by adding at the end the following:

“(G) GOVERNMENT PURPOSE.—In awarding contracts, grants, and cooperative agreements under this section, the Secretary shall provide a clear statement of defined Government purpose related to activities included in subsection (a)(6)(B) for a qualified countermeasure or qualified pandemic or epidemic product.”.

(c) FUND.—Paragraph (2) of section 319L(d) of the Public Health Service Act (42 U.S.C. 247d-7e(d)(2)) is amended to read as follows:

“(2) FUNDING.—To carry out the purposes of this section, there is authorized to be appropriated to the Fund \$415,000,000 for each of fiscal years 2014 through 2018, such amounts to remain available until expended.”.

(d) CONTINUED INAPPLICABILITY OF CERTAIN PROVISIONS.—Section 319L(e)(1)(C) of the Public Health Service Act (42 U.S.C. 247d-7e(1)(C)) is amended by striking “7 years” and inserting “12 years”.

(e) EXTENSION OF LIMITED ANTITRUST EXEMPTION.—

(1) IN GENERAL.—Section 405(b) of the Pandemic and All-Hazards Preparedness Act (42 U.S.C. 247d-6a note) is amended by striking “6-year” and inserting “12-year”.

(2) EFFECTIVE DATE.—This subsection shall take effect as if enacted on December 17, 2012.

(f) INDEPENDENT EVALUATION.—Section 319L of the Public Health Service Act (42 U.S.C. 247d-7e) is amended by adding at the end the following:

“(f) INDEPENDENT EVALUATION.—

“(1) IN GENERAL.—Not later than 180 days after the date of enactment of this subsection, the Comptroller General of the United States shall conduct an independent evaluation of the activities carried out to facilitate flexible manufacturing capacity pursuant to this section.

“(2) REPORT.—Not later than 1 year after the date of enactment of this subsection, the Comptroller General of the United States shall submit to the appropriate committees of Congress a report concerning the results of the evaluation conducted under paragraph (1). Such report shall review and assess—

“(A) the extent to which flexible manufacturing capacity under this section is dedicated to chemical, biological, radiological, and nuclear threats;

“(B) the activities supported by flexible manufacturing initiatives; and

“(C) the ability of flexible manufacturing activities carried out under this section to—

“(i) secure and leverage leading technical expertise with respect to countermeasure advanced research, development, and manufacturing processes; and

“(ii) meet the surge manufacturing capacity needs presented by novel and emerging threats, including chemical, biological, radiological, and nuclear agents.”.

(g) DEFINITIONS.—

(1) QUALIFIED COUNTERMEASURE.—Section 319F-1(a)(2)(A) of the Public Health Service Act (42 U.S.C. 247d-6a(a)(2)(A)) is amended—

(A) in the matter preceding clause (i), by striking “to—” and inserting “—”;

(B) in clause (i)—

(i) by striking “diagnose” and inserting “to diagnose”; and

(ii) by striking “; or” and inserting a semicolon;

(C) in clause (ii)—

(i) by striking “diagnose” and inserting “to diagnose”; and

(ii) by striking the period at the end and inserting “; or”;

(D) by adding at the end the following:

“(iii) is a product or technology intended to enhance the use or effect of a drug, biological product, or device described in clause (i) or (ii).”.

(2) QUALIFIED PANDEMIC OR EPIDEMIC PRODUCT.—Section 319F-3(i)(7)(A) of the Public Health Service Act (42 U.S.C. 247d-6d(i)(7)(A)) is amended—

(A) in clause (i)(II), by striking “; or” and inserting “;”;

(B) in clause (ii), by striking “; and” and inserting “; or”;

(C) by adding at the end the following:

“(iii) a product or technology intended to enhance the use or effect of a drug, biological product, or device described in clause (i) or (ii); and”.

(3) TECHNICAL AMENDMENTS.—Section 319F-3(i) of the Public Health Service Act (42 U.S.C. 247d-6d(i)) is amended—

(A) in paragraph (1)(C), by inserting “, 564A, or 564B” after “564”; and

(B) in paragraph (7)(B)(iii), by inserting “, 564A, or 564B” after “564”.

#### SEC. 403. STRATEGIC NATIONAL STOCKPILE.

Section 319F-2 of the Public Health Service Act (42 U.S.C. 247d-6b) is amended—

(1) in subsection (a)—

(A) in paragraph (1)—

(i) by inserting “consistent with section 2811” before “by the Secretary to be appropriate”; and

(ii) by inserting before the period at the end of the second sentence the following: “and shall submit such review annually to the appropriate congressional committees of jurisdiction to the extent that disclosure of such information does not compromise national security”; and

(B) in paragraph (2)(D), by inserting before the semicolon at the end the following: “and that the potential depletion of countermeasures currently in the stockpile is identified and appropriately addressed, including through necessary replenishment”; and

(2) in subsection (f)(1), by striking “\$640,000,000 for fiscal year 2002, and such sums as may be necessary for each of fiscal years 2003 through 2006. Such authorization is in addition to amounts in the special reserve fund referred to in subsection (c)(10)(A).” and inserting “\$533,800,000 for each of fiscal years 2014 through 2018. Such authorization is in addition to amounts in the special reserve fund referred to in subsection (h).”.

#### SEC. 404. NATIONAL BIODEFENSE SCIENCE BOARD.

Section 319M(a) of the Public Health Service Act (42 U.S.C. 247d-f(a)) is amended—

(1) in paragraph (2)—

(A) in subparagraph (D)—

(i) in clause (i), by striking “and” at the end;

(ii) in clause (ii), by striking the period and inserting a semicolon; and

(iii) by adding at the end the following:

“(iii) one such member shall be an individual with pediatric subject matter expertise; and

“(iv) one such member shall be a State, tribal, territorial, or local public health official.”; and

(B) by adding at the end the following flush sentence:

“Nothing in this paragraph shall preclude a member of the Board from satisfying two or more of the requirements described in subparagraph (D).”; and

(2) in paragraph (5)—

(A) in subparagraph (B), by striking “and” at the end;

(B) in subparagraph (C), by striking the period and inserting “; and”;

(C) by adding at the end the following:

“(D) provide any recommendation, finding, or report provided to the Secretary under this paragraph to the appropriate committees of Congress.”.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania (Mr. PITTS) and the gentleman from New Jersey (Mr. PALLONE) each will control 20 minutes.

The Chair recognizes the gentleman from Pennsylvania.

#### GENERAL LEAVE

Mr. PITTS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and insert extraneous materials in the RECORD on the bill.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

Mr. PITTS. Mr. Speaker, I yield myself such time as I may consume.

H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, introduced by my colleague MIKE ROGERS from Michigan, would reauthorize programs designed to foster the development of medical countermeasures and strengthen the Nation's preparedness infrastructure. These programs are essential to helping our Nation prepare for public health emergencies, including those caused by terrorist attacks.

H.R. 307 reauthorizes programs for 5 years at the fiscal year 2012 appropriated level and does not create a new program, nor increase the authorization for appropriations for an existing program. According to the Congressional Budget Office, the bill does not increase spending.

Congress originally enacted the programs reauthorized in H.R. 307 through the Project Bioshield Act of 2004 and the Pandemic and All-Hazards Preparedness Act of 2006. Project Bioshield authorized funds for the purchase of medical countermeasures through the Special Reserve Fund and enabled the Secretary of Health and Human Services to authorize the emergency use of medical products.

The original PAHPA bill created the Biodefense Advanced Research and Development Authority within HHS to help with the development of medical countermeasures and increase communications between HHS and the developers of MCMs.

The House passed H.R. 307 back in January. The Senate made some minor changes to the bill and passed it by unanimous consent last week.

I would like to commend Chairman UPTON, Mr. ROGERS, Mr. WAXMAN, and Mr. PALLONE for their work on the bill. I also would like to thank Senator HARKIN, Senator ALEXANDER, Senator ENZI, and Senator BURR for their leadership.

I would urge all Members to support this critical piece of legislation, and I reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I yield myself such time as I may consume.

I am pleased to rise in support of the Senate amendment to H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013. And I want to recognize the work that Ms. ESHOO, my colleague on the committee, has been doing on this legislation for many years.

The legislation reauthorizes critical programs and activities first established as part of the Public Health Security and Bioterrorism Preparedness and Response Act of 2002, the 2004 Project Bioshield Act, and the 2006 Pandemic and All-Hazards Preparedness Act.

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H.R. 307 passed the Senate in late February with an amendment that makes some changes to the House version passed in January. The new language updates the authorization period of programs to the fiscal years 2014–2018 instead of the fiscal years 2013–2017. It also modifies the authority for a State, territory or tribal organization to temporarily reassign public health personnel to respond to a public health emergency. In addition, there were some minor technical corrections to the House-passed legislation.

Over the past decade, Mr. Speaker, these programs have represented comprehensive efforts to prepare for and respond to public health emergencies. As a result of the investments that followed, our Nation is better equipped to respond to public health emergencies, but there is still a lot of work to be done.

Our Nation continues to face threats that require an ongoing commitment to public health and emergency preparedness. Of course, I am thinking of my district and the State of New Jersey after we experienced a devastating storm that destroyed entire communities. The Federal Government's support, including programs authorized by PAHPA, were critical in the wake of this disaster.

So I am pleased that Congress is finally able to get this legislation across the finish line. It reflects a bipartisan, bicameral effort that has been ongoing for more than a year—start to finish—and Members and staff have worked hard to see it through. Together, we have resolved differences and have made compromises, which is the way legislating is supposed to be done; and I was proud to be part of the process.

I would like to thank many members of the Energy and Commerce Committee who contributed to this important bill: of course Ms. ESHOO, who will speak; Congressmen MIKE ROGERS and GENE GREEN; Chairman UPTON; Chairman PITTS; Ranking Member WAXMAN; Congressman MARKEY; and all of their staffs. Everyone should be commended for their work.

I urge Members to join me in supporting the passage of the Senate amendment to H.R. 307, and I look forward to finally getting this bill to the President's desk.

I reserve the balance of my time.

OFFICE OF THE SECRETARY AND  
LEGAL COUNSEL, ALLIANCE FOR  
BIOSECURITY,

*Washington, DC, March 4, 2013.*

Hon. MIKE ROGERS,  
*Rayburn House Office Building,*  
*Washington, DC.*

DEAR REPRESENTATIVE ROGERS: On behalf of the Alliance for Biosecurity, I write in

strong support of the Pandemic All-Hazards Preparedness Reauthorization Act of 2013 (H.R. 307). The Alliance for Biosecurity is a collaboration of pharmaceutical and biotechnology companies working to develop medical countermeasures (MCMs) to prevent and treat diseases associated with bioterrorism and emerging infectious diseases. We are extremely pleased that both the House and the Senate have taken this legislation up so expeditiously this Congress and hope for quick House passage of the amended bill.

As you know, the chemical, biological, radiological, and nuclear (CBRN) threat is real and growing. It is critical that the country continue ongoing efforts to develop, procure, and stockpile MCMs to both deter an attack and protect our citizens should a bioterrorism event occur. The Congressionally-established Commission on the Prevention of Weapons of Mass Destruction Proliferation and Terrorism 2008 report predicted that "it is more likely than not that a weapon of mass destruction will be used in a terrorist attack somewhere in the world by the end of 2013." There is a limited commercial market for MCMs; consequently, without adequate advanced development and stockpiling funding, companies have neither the incentive nor the ability to invest in these life-saving therapies.

Reauthorization of PAHPA and Project BioShield is critical to ensuring the sustainability of the MCM enterprise. We urge you to pass the amended H.R. 307 without delay to ensure that our nation remains prepared to face such threats.

Respectfully submitted on behalf of the  
Alliance for Biosecurity,

THE ALLIANCE FOR BIOSECURITY,  
*Secretariat and Legal Counsel.*

AMERICAN ACADEMY OF PEDIATRICS,  
*Elk Grove Village, IL, March 1, 2013.*

Hon. MIKE ROGERS,  
*House of Representatives,*  
*Washington, DC.*

DEAR CONGRESSMAN ROGERS: On behalf of the American Academy of Pediatrics (AAP), a professional organization of 60,000 primary care pediatricians, pediatric medical subspecialists, and pediatric surgical specialists dedicated to the health, safety, and well-being of infants, children, adolescents, and young adults, I write to express our support for H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013.

Representing twenty-five percent of the U.S. population, children are not little adults. Their developing minds and bodies place them at disproportionate risk during a disaster situation. Children are particularly vulnerable to aerosolized biological or chemical agents because they breathe more times per minute than adults and they are more vulnerable to agents that act on or through the skin because their skin is thinner and they have a larger surface-to-mass ratio than adults. Children need different dosages of medicine than adults, not only because they are smaller, but also because certain drugs and biologics may have different or unanticipated effects on developing children. From needles and tubing, to oxygen masks and ventilators, to imaging and laboratory technology, children need medical equipment that has been specifically designed for their size and unique physiology.

Numerous expert bodies including the National Commission on Children and Disasters and the National Biodefense Science Board (NBSB) have found that, with respect to medical countermeasures (MCMs) for children, significant gaps remain in pediatric indications, dosages and formulations. H.R. 307 includes several important provisions that will help advance the development of MCMs for children by maximizing existing pedi-

atric drug testing laws, increasing pediatric expertise at federal agencies involved in MCM development and procurement, and prioritizing children within the existing Public Health Emergency Medical Countermeasures Enterprise. Additionally, the expansion of existing emergency use authorization authority will be critical to ensuring that countermeasures for children are stockpiled in advance of a disaster or emergency.

In particular, the Academy thanks you for including a provision that will require the Secretary of Health and Human Services to establish a National Advisory Committee on Children and Disasters. With the termination of the National Commission on Children and Disasters, which helped focus attention on gaps in disaster planning and delivered practical recommendations to the President and Congress, the National Advisory Committee on Children and Disasters will help ensure that important progress made at various federal agencies, state and local levels, and throughout the private sector continues. Importantly, the Advisory Committee will bring together federal and non-federal partners to provide guidance and recommendations on our nation's preparedness to meet the needs of children before, during and after all-hazards emergencies. It is our hope that the Advisory Committee will comprehensively assess progress toward fulfilling the recommendations of the National Commission on Children and Disasters. The Academy looks forward to working with you and the Department of Health and Human Services to establish the National Advisory Committee on Children and Disasters.

H.R. 307 maintains the important role of the National Disaster Medical System (NDMS) while ensuring that the NDMS takes into account pediatric populations. It also ensures that the requirements for the Hospital Preparedness Program and the Public Health Emergency Preparedness Cooperative Agreement Program have specific pediatric performance measures. The AAP applauds the requirement in the legislation that the NBSB include an individual with pediatric subject matter expertise.

Thank you for your continued commitment to improving the health and well-being of children. We look forward to working with you on passage of H.R. 307.

Sincerely,  
THOMAS K. MCINERNY, MD, FAAP,  
*President.*

BIOTECHNOLOGY INDUSTRY  
ORGANIZATION,  
*Washington, DC, March 1, 2013.*

Hon. JOHN BOEHNER,  
*Speaker, House of Representatives,*  
*Washington, DC.*  
Hon. NANCY PELOSI,  
*Minority Leader, House of Representatives,*  
*Washington, DC.*

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: On behalf of the Biotechnology Industry Organization (BIO), I am writing with our strong support for the Senate Amendment to H.R. 307, the Pandemic and All-Hazards Preparedness (PAHPA) Reauthorization Act of 2013, which will be considered on the floor of the House on March 4th.

BIO represents more than 1,100 biotechnology companies, academic institutions, state biotechnology centers and related organizations across the United States. BIO members are involved in the research and development of healthcare, agricultural, industrial and environmental biotechnology products. Our members play a central role in ensuring the effective development of medical countermeasures (MCMs) to protect our

nation's citizens against chemical, biological, radiological and nuclear threats, whether naturally occurring or man-made.

We strongly support the simultaneous reauthorization of Project BioShield and the Special Reserve Fund (SRF) with the reauthorization of PAHPRA. Because the government represents the sole marketplace for the vast majority of MCMs, the funding available through the SRF is vital for private companies, considering the high cost and significant time commitment associated with the development and manufacture of these products.

We thank you for quickly moving the legislation forward in the House, and we look forward to this legislation passing, and then being signed into law in the near future. We wish to especially congratulate Reps. Mike Rogers (R-MI) and Gene Green (D-TX) for their leadership on this issue. Thank you.

Sincerely,

JAMES C. GREENWOOD,  
President and CEO.

THE ROUNDTABLE ON  
CRITICAL CARE POLICY,  
Washington, DC, March 1, 2013.

Hon. JOHN BOEHNER,  
Speaker of the House, House of Representatives,  
Washington, DC.

Hon. NANCY PELOSI,  
Minority Leader, House of Representatives,  
Washington, DC.

DEAR SPEAKER BOEHNER AND MINORITY LEADER PELOSI: The Roundtable on Critical Care Policy strongly supports the Senate Amendment to H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act (PAHPRA) of 2013, and urges the House of Representatives to swiftly pass this vital legislation that will improve America's public health, medical preparedness and response capabilities, and enhance the nation's ability to care for the critically ill and injured in the aftermath of a public health emergency.

In particular, our organization strongly supports the Roundtable-endorsed provisions included in the current version of PAHPRA that would prioritize critical care within the National Health Security Strategy (NHSS). More specifically, these provisions would, for the first time, add care for critically ill patients in our nation's intensive care units (ICU) to the federal government's medical preparedness and surge capacity goals, thereby ensuring that critical care is included in federal, state and local planning efforts to increase preparedness for public health emergencies. This reauthorization would require the inclusion of medical surge capacity in the periodic evaluation of the nation's preparedness capabilities, enabling an efficient and effective medical response during an emergency.

The Roundtable also commends the inclusion of language in the NHSS that requires coordinated medical triage and evacuation to appropriate medical institutions during a public health emergency, which supports the Roundtable's past calls for increased planning for patient evacuation in hospitals—including ICUs.

When our nation is faced with a health emergency, the critical care delivery system is an integral component of our nation's medical response. Yet, despite the fact that Americans depend on this delivery system to care for our most critically ill and injured—a system whose capacity is truly put to the test and often stretched to its limits in the event of a widespread health emergency—critical care medicine has not been given sufficient consideration in our disaster preparedness efforts, until now.

The Roundtable believes that the inclusion of these provisions in the Pandemic and All-

Hazards Preparedness Reauthorization Act of 2013 will go a long way towards strengthening the nation's critical care infrastructure, and addressing the needs of the critically ill and injured in the event of a major public health crisis.

We applaud the U.S. House of Representatives under your leadership for working to improve our federal disaster preparedness efforts, and ensuring the prioritization of critical care within PAHPRA.

Sincerely,

STEPHANIE SILVERMAN,  
President.

MARCH 1, 2013.

Hon. FRED UPTON,  
Chairman, House of Representatives,  
Washington, DC.

Hon. JOSEPH R. PITTS,  
Chairman, House of Representatives,  
Washington, DC.

Hon. MIKE ROGERS,  
House of Representatives,  
Washington, DC.

Hon. HENRY A. WAXMAN,  
Ranking Member, House of Representatives,  
Washington, DC.

Hon. FRANK PALLONE, Jr.,  
Ranking Member, House of Representatives,  
Washington, DC.

DEAR CHAIRMEN UPTON AND PITTS, RANKING MEMBERS WAXMAN AND PALLONE, AND REP. ROGERS: On behalf of the undersigned organizations, dedicated to protecting the public health of our nation, we write to express our support for the Pandemic and All-Hazards Preparedness Reauthorization Act of 2012 (PAHPRA). We urge swift passage in the House as this legislation is critical to the safety of our nation. We thank you for your leadership on this legislation that is critical to the safety of our nation.

PAHPRA is vital to state and local health and other public health practitioners who are a critical part of any community's first response to disease outbreaks, emergencies, and acts of terrorism. The following provisions in particular are essential to keeping communities healthy and safe:

Temporary Reassignment of Federally Funded Personnel During a Public Health Emergency (Section 201): The provision allows states and tribes to request from the Department of Health and Human Services (HHS) the authority to temporarily reassign public health personnel from other HHS-funded grant programs to respond to a major emergency. The authority would allow state and local governments to meet the tremendous staffing needs required by a disaster.

Reauthorization of the Public Health and Emergency Preparedness Grants (PHEP) (Section 202): The PHEP cooperative agreement program provides funding to local and state public health departments to strengthen their capacity and capability to effectively respond to public health emergencies including terrorist threats, infectious disease outbreaks, natural disasters, and biological, chemical, nuclear, and radiological emergencies. State and local health departments work with federal government officials, law enforcement, emergency management, health care, business, education, and religious groups to plan, train, and prepare for emergencies so that when disaster strikes, communities are prepared.

Reauthorization of the Hospital Preparedness Program (HPP) (Section 203): HPP provides funding to state and local health departments to enhance hospital preparedness and improve overall surge capacity in the case of public health emergencies. The preparedness activities carried out under this program strengthen the capabilities of hospitals throughout the country to respond to floods, hurricanes, or wildfires, and also in-

clude training for a potential influenza pandemic or terrorist attack.

Carryover of Grant Use, Coordination (Section 202 and 203): The bill updates the preparedness grant programs at HHS giving grantees limited ability to carry over funds encouraging flexibility and efficiency. The provisions promote long-term planning currently impossible in an unpredictable fiscal environment.

Children's Preparedness (Sections 103, 307 and throughout): The bill establishes the National Advisory Committee on Children and Disasters to bring together federal and non-federal partners to provide guidance and recommendations on medical and public health preparedness for children before, during and after a disaster or public health emergency. The bill takes significant steps to consider the particular needs of pediatric populations in Medical Countermeasure (MCM) research and development. The bill also calls for consideration of the needs of children, as an at-risk population, in the Public Health Emergency Medical Countermeasures Enterprise Strategy and Implementation Plan, PHEP, HPP, and Medical Reserve Corps.

Enhancing Situational Awareness and Biosurveillance (Section 204): The bill calls for planning and integration of the current biosurveillance systems to strengthen the nation's bioterrorism and disease outbreak response capabilities. The bill also requires coordination with the National Biodefense Science Board. HHS is required to provide a report to Congress on their implementation plans and progress.

Individuals with Disabilities (Section 101): The bill calls for the consideration of the needs individuals with disabilities in the National Health Security Strategy.

Thank you again for your work to reauthorize this important legislation.

Sincerely,

GEORGES C. BENJAMIN, MD,  
FACP, FACEP (E),  
Executive Director,  
American Public  
Health Association.

ROBERT M. PESTRONK,  
MPH,  
Executive Director,  
National Association  
of County and City  
Health Officials.

PAUL E. JARRIS, MD, MBA,  
Executive Director, As-  
sociation of State  
and Territorial  
Health Officials.

JEFF LEVI, PHD,  
Executive Director,  
Trust For America's Health.

Mr. PITTS. Mr. Speaker, I yield such time as he may consume to the chairman of the full committee, the gentleman from Michigan (Mr. UPTON).

Mr. UPTON. Certainly, tonight I stand in support of this legislation, H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013.

This legislation is going to help our Nation's families, local communities, first responders, and innovators as we prepare for and respond to public health emergencies, including those caused by terrorist attacks. As the Nation recovers from a severe flu season, the need to pass this legislation is evermore apparent.

This bill is going to help families by requiring that the special needs of our Nation's children are taken into account as medical countermeasures move through the FDA process and are

purchased for the Strategic National Stockpile. The bill also would require the Department of Health and Human Services to improve public health emergency preparedness, response, outreach, and communication with respect to children.

H.R. 307 also would aid local communities and those on the front lines in disaster response, providing assistance to local law enforcement, emergency management and public health officials in planning, training and preparing for emergencies so that if disaster strikes their communities are ready. Last month, I had the opportunity to address the American Burn Association here in Washington. The bill's Hospital Preparedness Program is critical to them as it helps hospitals prepare for disasters that would result in a surge in the need for medical care.

In addition, this legislation is going to help innovators as they develop medical countermeasures that may be necessary in the event of a biological, nuclear, radiological, or chemical attack. The bill contains provisions to improve the predictability, consistency, and transparency of the FDA process. These improvements will assist innovators in getting their medical countermeasures across the finish line.

It is also important to note that H.R. 307 would reauthorize programs for 5 years at the fiscal year 2012 appropriated level. This bill would not create new programs; and according to the CBO, as Mr. PITTS said, it would not increase spending.

The House bill passed back in January, and the Senate passed a nearly identical version of the bill last week by unanimous consent. Upon House approval today, this critical legislation will, in fact, head to the President to be signed into law, ensuring that our Nation is preparing for the unthinkable.

I want to thank all of the Members who have worked on this issue, not only this year but last year—certainly Mr. ROGERS of Michigan, Chairman PITTS, Mr. WAXMAN, Mr. PALLONE, and Ms. ESHOO. I also want to thank our Senate colleagues—Senator HARKIN, Senator ALEXANDER, Senator ENZI, and Senator BURR—for their leadership on this issue as we got together and got this bill ready tonight.

I urge my colleagues to support the bill.

Mr. PALLONE. Mr. Speaker, I yield such time as she may consume to the gentlewoman from California (Ms. ESHOO), one of the key sponsors of this legislation.

Ms. ESHOO. I thank our ranking member, Mr. PALLONE, for his leadership on the committee and for yielding time to me.

Mr. Speaker, I rise today to support the Pandemic and All-Hazards Preparedness Reauthorization Act. This is legislation that I wrote, together with Congressman MIKE ROGERS, going back to when we first introduced it in 2006, in order to better help our country pre-

pare for a chemical, biological, radiological, or nuclear attack—all of the things that are really unthinkable; but in a post-9/11 era, we had to be prepared, and we developed this legislation. So it pleases me enormously that we are now reauthorizing it.

Right now, the American people are left wondering what the heck the Congress is doing—why we can't come together, why we can't work in a bipartisan way and develop consensus. Do you know what? On this bill, we are, and I am very proud of that. Developing and stockpiling appropriate countermeasures is essential for the safety of the American people, and these programs encourage American companies to invest in areas of critical need.

The bill before us today includes new provisions, which I think really enhance what we did originally, provisions that highlight the important needs of our Nation's children. Children are not just little adults. They need special care and medical attention. They are especially vulnerable to biological or chemical agents because of their size, their limited capacity to flush out toxins, their underdeveloped motor skills, and their total reliance on their parents or other caregivers.

I know firsthand the importance of stockpiling vaccines critical to our public health. I recently visited a company in my district, Bavarian Nordic. It is a company which clearly demonstrates that technical expertise and investment in this area must be backed by the government's commitment to preparedness. Because medical countermeasures don't always have a natural commercial market, it is our responsibility—right here in the Congress—to encourage and incent private companies to develop them. When I was meeting with them, they told me that, when we were considering the original legislation and then passed it, they were immediately invested in it by the sum of some \$80 million because there was confidence in that particular market.

This legislation is supported by many, but I think it's a real honor roll in terms of the groups and organizations: the American Public Health Association, the Association of State and Territorial Health Officials, the National Association of County and City Health Officials, the Trust for America's Health, and the American Academy of Pediatrics.

This legislation, the Pandemic and All-Hazards Preparedness Reauthorization Act, did pass the House last month; and with minor changes, it passed the Senate last week, as my colleagues have said on both sides of the aisle. Today, I, once again, urge my colleagues to vote "yes" on the Senate-amended bill so that it may swiftly be sent to the President for his signature. I think, together, we will have something to celebrate because this is not only important, but it can and will make a difference for the American people.

□ 1730

Mr. PITTS. Mr. Speaker, I have no other speakers, and I continue to reserve the balance of my time.

Mr. PALLONE. Mr. Speaker, I have no additional speakers, and I would just say at this point that I urge passage of this legislation. It is very important in terms of our ongoing commitment to public health and emergency preparedness; and, of course, once it passes today, it will go to the President for his signature, and so I urge passage.

I yield back the balance of my time.

Mr. PITTS. Mr. Speaker, I, too, urge all Members to support this critical legislation. It has strong bipartisan support. It is very important.

With that, I yield back the balance of my time.

Mr. WAXMAN. Mr. Speaker, I rise in support of the Senate Amendment to H.R. 307, the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013. H.R. 307 is the product of a lengthy, but extremely productive, process with our Senate colleagues and their staff to come together to bridge the differences between earlier House and Senate reauthorization efforts. In January, the House passed H.R. 307 by a vote of 395 to 29. Just last week, the Senate passed an amendment to H.R. 307 that makes further refinements to the legislation. Today, with House passage of the Senate Amendment, the Pandemic and All-Hazards Preparedness Reauthorization Act will finally head to the President's desk for his signature.

Toward that end, H.R. 307 reauthorizes and makes minor—but important—improvements to various programs and activities first established in the 2002 Public Health Security and Bioterrorism Preparedness and Response Act; 2004 Project Bioshield Act; and the 2006 Pandemic and All-Hazards Preparedness Act, or as it is commonly referred to, "PAHPA." These programs and activities are key in helping to ensure that our nation is well prepared to successfully manage the effects of natural disasters, infectious disease outbreaks, and acts of bioterrorism.

H.R. 307 includes dozens of changes to these underlying authorities. Let me highlight just four provisions that deserve special attention:

First, the bill will ensure that the Food and Drug Administration focuses on medical countermeasures of the highest importance. Medical countermeasures are products designed to combat chemical, biological, radiological, and nuclear agents.

H.R. 307 will facilitate communication between the FDA and product sponsors—particularly on high priority countermeasures for which sponsors have developed regulatory management plans—to resolve scientific and regulatory questions and help make these products available more quickly. Recently, FDA approved the first drug developed and procured under Project BioShield.

The FDA provisions in H.R. 307 will also facilitate the rapid provision of existing medicines to people in need during an emergency. Taken together, these FDA provisions—along with the renewed emphasis in our countermeasure enterprise through other parts of the legislation—will make it possible for a greater number of drugs and devices to move from early development to procurement.



Second, the legislation makes improvements to the nation's blueprint for public health preparedness and response activities that will enhance the ability of our diverse health care system to respond to mass casualty emergencies. Among such improvements are provisions to clarify the role of the Assistant Secretary of Preparedness and Response as the lead office within the Department of Health and Human Services for emergency preparedness and response.

H.R. 307 also establishes a new authority to permit the Secretary of the Department of Health and Human Services to approve a request of a state, territory, or an Indian tribe to reassign certain federally-supported public health personnel during the time of a national emergency to geographic areas where these public health workers are needed most.

Finally, H.R. 307 continues support for investments in state and local public health departments. Such investments are necessary to make certain that we have the requisite public health infrastructure in place to respond immediately and appropriately to any public health threat that may arise.

This legislation reflects the effort of a number of Members and Senators—Democrats and Republicans alike. I'd like to commend my House colleagues and their staff who have been deeply involved in this process—Chairman UPTON, Chairman PITTS, Congressman ROGERS, Congressman GREEN, Congresswoman ESHOO, Congressman MARKEY, and our Health Subcommittee Ranking Member, Congressman PALLONE. I particularly want to thank Mr. PALLONE's staff member Tiffany Guarascio, as well as Chairman UPTON and Chairman PITTS' staff, Clay Alspach and Carly McWilliams. I would also like to express my appreciation to House Legislative Counsel Warren Burke and Jessica Shapiro for their efforts. I'd also like to recognize my Senate colleagues, Chairman HARKIN and Ranking Member ALEXANDER, and their staff for their contributions to this legislation. And finally, I'd like to thank my own staff for the incredibly hard work they have put into this legislation—Karen Nelson, Ruth Katz, Anne Morris Reid, Rachel Sher, and Eric Flamm.

I urge my colleagues to vote in favor of the Senate Amendment to H.R. 307.

Mr. GENE GREEN of Texas. Mr. Speaker, I rise today in strong support of the Pandemic and All-Hazards Preparedness Reauthorization Act which will reauthorize certain provisions of the Project Bioshield Act of 2004 and Pandemic and All-Hazards Preparedness Act of 2006.

This legislation was initially passed by Congress to help the U.S. develop medical countermeasures against chemical, biological, radiological, and nuclear terrorism agents and to provide a mechanism for federal acquisition of those newly developed countermeasures.

Since the first part of the last session of Congress, we have been working with Senators to perfect the language. We have passed it several times in the House and after many months, the Senate has sent it back for our approval. I am pleased that we finally have a bill that can be sent to the President and I am proud to support it.

This bill is important because our nation remains vulnerable to these threats because many of the vaccines and medicines that are needed to protect our citizens do not exist.

Developing and stockpiling these medical countermeasures requires time, resources,

and research. All of which will be provided under the legislation before us today. I am pleased that language I supported during the committee process aimed at increasing emphasis on regionalized trauma care systems was included in this final version.

This bill is also very important to me because the University of Texas Medical Branch's Galveston National Laboratory is in my backyard.

The Galveston National Lab is the only BSL-4 lab located on a university campus. At the lab, scientists conduct research to develop therapies, vaccines, and diagnostic tests for naturally occurring emerging diseases such as SARS and avian influenza—as well as for microbes that might be employed by terrorists.

This is exactly the type of research we hope to encourage under the Pandemic and All-Hazards Preparedness Reauthorization Act.

As an original cosponsor of this bill with Mr. ROGERS, I am very pleased at how quickly we have moved this rare bipartisan piece of legislation.

I want to thank Mr. ROGERS, Chairman UPTON, Ranking Member WAXMAN, Ranking Member PALLONE, Ms. Myrick, Ms. ESHOO, and Mr. MARKEY for their work on this important legislation.

I strongly urge my colleagues to vote "yes" on this legislation.

Ms. EDDIE BERNICE JOHNSON of Texas. Mr. Speaker, I rise today in support of the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013, as amended by the Senate. This legislation will reauthorize programs first established in the 2002 Public Health Security and Bioterrorism Preparedness and Response Act, the 2004 Project Bioshield Act, and the 2006 Pandemic and All-Hazards Preparedness Act. These programs are crucial to ensuring that our Nation is prepared to respond to public health emergencies, including those caused by natural disasters, disease outbreaks, and bioterrorism.

The Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 will reauthorize programs such as the Public Health Emergency Preparedness Cooperative Agreement, which provides grants to state and local health departments, the National Disaster Medical System, which helps manage the government's medical response in emergencies, and bio-surveillance programs, which help states coordinate with the Centers for Disease Control and Prevention to track and detect disease outbreaks. The legislation also allows the Food and Drug Administration to collect and analyze data about the safety and efficacy of products used in emergencies.

Mr. Speaker, in our changing world, public health emergencies can be created by sources as various as disasters due to climate change, global epidemics from an increasingly interconnected planet, and terrorists who target us. As we face these threats, it is our responsibility to remain vigilant and prepared for the sake of our children and our communities. The programs covered under the Pandemic and All-Hazards Preparedness Reauthorization Act of 2013 serve as essential tools in our endeavor to protect the health of all Americans.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr. PITTS) that the House suspend the rules and concur in the Senate amendment to the bill, H.R. 307.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, two-thirds being in the affirmative, the ayes have it.

Mr. PITTS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, further proceedings on this motion will be postponed.

#### COMMUNICATION FROM THE DEMOCRATIC LEADER

The SPEAKER pro tempore laid before the House the following communication from the Honorable NANCY PELOSI, Democratic Leader:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, March 4, 2013.

Hon. JOHN BOEHNER,  
Speaker of the House, U.S. Capitol,  
Washington, DC.

DEAR SPEAKER BOEHNER: Pursuant to 44 U.S.C. 2702, I am pleased to appoint Mr. John A. Lawrence of Washington, D.C. to the Advisory Committee on the Records of Congress.

Thank you for your attention to this appointment.

Sincerely,

NANCY PELOSI,  
Democratic Leader.

#### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until 6:30 p.m. today.

Accordingly (at 5 o'clock and 31 minutes p.m.), the House stood in recess.

□ 1830

#### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. HULTGREN) at 6 o'clock and 30 minutes p.m.

#### PANDEMIC AND ALL-HAZARDS PREPAREDNESS REAUTHORIZATION ACT OF 2013

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the vote on the motion to suspend the rules and concur in the Senate amendment to the bill (H.R. 307) to reauthorize certain programs under the Public Health Service Act and the Federal Food, Drug, and Cosmetic Act with respect to public health security and all-hazards preparedness and response, and for other purposes, on which the yeas and nays were ordered.

The Clerk read the title of the bill.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from Pennsylvania (Mr.



PITTS) that the House suspend the rules and concur in the Senate amendment.

The vote was taken by electronic device, and there were—yeas 370, nays 28, not voting 33, as follows:

[Roll No. 56]

YEAS—370

Aderholt	Coffman	Frankel (FL)
Alexander	Cohen	Franks (AZ)
Amodei	Cole	Frelinghuysen
Andrews	Collins (NY)	Fudge
Bachmann	Conaway	Gabbard
Bachus	Connolly	Galleo
Barber	Conyers	Garamendi
Barletta	Cook	Garcia
Barr	Cooper	Gardner
Barrow (GA)	Costa	Garrett
Barton	Cotton	Gerlach
Bass	Courtney	Gibbs
Beatty	Cramer	Gibson
Becerra	Crawford	Gingrey (GA)
Benishek	Crenshaw	Gowdy
Bentivolio	Crowley	Granger
Bera (CA)	Cuellar	Grayson
Bilirakis	Cummings	Green, Al
Bishop (GA)	Daines	Green, Gene
Bishop (NY)	Davis (CA)	Griffin (AR)
Black	Davis, Danny	Griffith (VA)
Blackburn	Davis, Rodney	Grimm
Bonamici	DeFazio	Guthrie
Bonner	DeGette	Hahn
Boustany	Delaney	Hall
Braley (IA)	DeLauro	Hanabusa
Brooks (IN)	DelBene	Hanna
Brown (FL)	Denham	Harper
Brownley (CA)	Dent	Harris
Buchanan	DeSantis	Hartzler
Bucshon	DesJarlais	Hastings (FL)
Burgess	Deutch	Hastings (WA)
Bustos	Diaz-Balart	Heck (NV)
Butterfield	Dingell	Heck (WA)
Calvert	Doggett	Hensarling
Camp	Doyle	Herrera Beutler
Campbell	Duckworth	Higgins
Cantor	Duffy	Himes
Capito	Edwards	Hinojosa
Capps	Ellison	Holding
Capuano	Ellmers	Holt
Cárdenas	Enyart	Horsford
Carney	Eshoo	Hoyer
Carson (IN)	Esty	Huelskamp
Cartwright	Farenthold	Huffman
Cassidy	Farr	Huizenga (MI)
Castor (FL)	Fattah	Hultgren
Castro (TX)	Fincher	Hunter
Chabot	Fitzpatrick	Hurt
Chu	Fleischmann	Israel
Cicilline	Fleming	Issa
Clarke	Flores	Jackson Lee
Clay	Forbes	Jeffries
Cleaver	Fortenberry	Jenkins
Clyburn	Foster	Johnson (GA)

Johnson (OH)	Meng	Ruppersberger
Johnson, E. B.	Messer	Ryan (OH)
Johnson, Sam	Mica	Ryan (WI)
Jordan	Michaud	Salmon
Joyce	Miller (MI)	Sánchez, Linda
Kaptur	Miller, Gary	T.
Keating	Miller, George	Sarbanes
Kelly	Moore	Scalise
Kennedy	Mulvaney	Schakowsky
Kildee	Murphy (FL)	Schiff
Kilmer	Murphy (PA)	Schneider
Kind	Napolitano	Schock
King (IA)	Neal	Schrader
King (NY)	Negrete McLeod	Schwartz
Kingston	Neugebauer	Schweikert
Kinzinger (IL)	Nolan	Scott (VA)
Kirkpatrick	Nugent	Scott, Austin
Kline	Nunes	Scott, David
Kuster	Nunnelee	Serrano
LaMalfa	O'Rourke	Sessions
Lamborn	Olson	Sewell (AL)
Langevin	Owens	Shea-Porter
Lankford	Pallone	Sherman
Larsen (WA)	Pascrell	Shimkus
Larson (CT)	Pastor (AZ)	Shuster
Latham	Paulsen	Simpson
Latta	Payne	Sinema
Lee (CA)	Pearce	Slaughter
Levin	Pelosi	Smith (NE)
Lewis	Perry	Smith (NJ)
Lipinski	Peters (CA)	Smith (TX)
LoBiondo	Peters (MI)	Speier
Lofgren	Peterson	Stewart
Long	Pingree (ME)	Stivers
Lowenthal	Pittenger	Swalwell (CA)
Lowe	Pitts	Takano
Lucas	Pocan	Terry
Luetkemeyer	Pompeo	Thompson (CA)
Lujan Grisham	Posey	Thompson (MS)
(NM)	Price (GA)	Thompson (PA)
Luján, Ben Ray	Price (NC)	Thornberry
(NM)	Quigley	Tiberi
Lummis	Rahall	Tierney
Maffei	Rangel	Tipton
Maloney,	Reed	Titus
Carolyn	Reichert	Tonko
Maloney, Sean	Renacci	Tsongas
Marino	Ribble	Turner
Matheson	Rice (SC)	Upton
Matsui	Richmond	Valadao
McCarthy (CA)	Rigell	Van Hollen
McCarthy (NY)	Roby	Vargas
McCaul	Roe (TN)	Velázquez
McClintock	Rogers (AL)	Visclosky
McCollum	Rogers (KY)	Wagner
McGovern	Rogers (MI)	Walberg
McHenry	Rokita	Walden
McKeon	Rooney	Walorski
McKinley	Ros-Lehtinen	Walz
McMorris	Roskam	Wasserman
Rodgers	Ross	Schultz
McNerney	Rothfus	Waters
Meadows	Roybal-Allard	Watt
Meehan	Royce	Waxman
Meeks	Ruiz	Weber (TX)
	Runyan	Webster (FL)

Wilson (FL)	Yoder
Wilson (SC)	Yoho
Wittman	Young (IN)
Wolf	
Womack	

NAYS—28

Amash	Foxx	Mullin
Bishop (UT)	Gohmert	Petri
Brady (TX)	Goodlatte	Poe (TX)
Bridenstine	Graves (GA)	Radel
Brooks (AL)	Hudson	Sensenbrenner
Broun (GA)	Jones	Southerland
Carter	Labrador	Stockman
Chaffetz	Marchant	Woodall
Duncan (SC)	Massie	
Duncan (TN)	Miller (FL)	

NOT VOTING—33

Blumenauer	Loebach	Rohrabacher
Brady (PA)	Lynch	Rush
Coble	Markey	Sanchez, Loretta
Collins (GA)	McDermott	Sires
Culberson	McIntyre	Smith (WA)
Engel	Moran	Stutzman
Gosar	Nadler	Veasey
Graves (MO)	Noem	Vela
Grijalva	Palazzo	Yarmuth
Gutierrez	Perlmutter	Young (AK)
Honda	Polis	Young (FL)

□ 1853

Messrs. RICHMOND, WESTMORELAND, LEVIN, WEBER, DANNY K. DAVIS of Illinois, RAHALL, and SALMON changed their vote from “nay” to “yea.”

So (two-thirds being in the affirmative) the rules were suspended and the Senate amendment was concurred in.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

#### COMMUNICATION FROM CHAIR OF COMMITTEE ON TRANSPORTATION AND INFRASTRUCTURE

The SPEAKER pro tempore laid before the House the following communication from the Chair of the Committee on Transportation and Infrastructure; which was read and, without objection, referred to the Committee on Appropriations:

Mar 04 2013 6:59PM HP LASERJET FAX

p. 1



MAR - 4 2013

APPROPS

**Committee on Transportation and Infrastructure**  
**U.S. House of Representatives**

Washington, DC 20515

**Bill Shuster**  
**Chairman**

**Nick J. Rahall, II**  
**Ranking Member**

March 4, 2013

Christopher P. Bertram, Staff Director

James H. Zola, Deserial Staff Director

The Honorable John Boehner  
Speaker  
U.S. House of Representatives  
Washington, D.C. 20515

Dear Mr. Speaker:

I have enclosed copies of the resolutions adopted by the Committee on Transportation and Infrastructure on February 28, 2013. Pursuant to section 3307 of Title 40, United States Code, the Committee on Transportation and Infrastructure met in open session to consider resolutions to authorize 16 lease prospectuses included in the General Services Administration's FY2012 and FY2013 Capital Investment and Leasing Programs and 2 resolutions to authorize alteration projects for space consolidations and exigent needs.

Our Committee continues to work to cut waste and the cost of federal property and leases. The resolutions approved by the Committee will save the taxpayer \$27.6 million annually or \$357 million over the terms of the leases. These resolutions ensure savings through lower rents, shrinking the space requirements of agencies, and efficiencies created through consolidation. In addition, the Committee has included space utilization requirements in each of the resolutions to ensure agencies are held to appropriate utilization rates.

Sincerely,

Bill Shuster  
Chairman

Enclosures

cc: The Honorable Nick J. Rahall, II, Ranking Member



**Committee on Transportation and Infrastructure  
U.S. House of Representatives**

**Bill Shuster**  
**Chairman**

**Washington, DC 20515**  
**COMMITTEE RESOLUTION**

**Nick J. Rahall, III**  
**Ranking Member**

Christopher P. Bertram, Staff Director

**LEASE**  
**U.S. DEPARTMENT OF AGRICULTURE**  
**FOREST SERVICE**  
**NORTHERN VIRGINIA**  
**PVA-07-WA12**

James H. Zola, Democrat Staff Director

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 106,000 rentable square feet of space, including eight parking spaces, for the Department of Agriculture, Forest Service, currently located at 1601 and 1621 N. Kent Street, Arlington, Virginia, at a proposed total annual cost of \$4,134,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.*

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided that*, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 182 square feet or less per person.

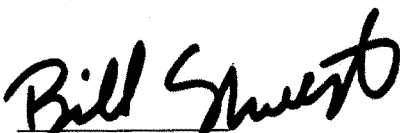
*Provided that*, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 182 square feet or higher per person.

*Provided that*, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

  
Bill Shuster, M.C.  
Chairman

GSAPBS

**PROSPECTUS – LEASE  
U.S. DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
NORTHERN VIRGINIA**

Prospectus Number: PVA-07-WA12

Congressional District: 8

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**Executive Summary**

The General Services Administration (GSA) proposes a replacement lease of up to 106,000 rentable square feet for the U.S. Department of Agriculture, Forest Service (USDA-FS), currently located in adjacent buildings at 1601 and 1621 N. Kent Street in Arlington, VA under three leases. USDA-FS elements housed in these buildings have mission requirements that result in regular interaction with FS headquarters operations housed in the Sidney Yates Building in Washington, DC.

The proposed increase in the annual cost of leasing space to meet USDA-FS requirements reflects the adjustment to current market rent of expiring leases that have been in effect since the 1998 to 2000 time frame. The proposed maximum RSF does not represent expansion space but the amount of space needed to provide 87,192 USF as indicated on the housing plan in buildings having an RSF/USF as high as 1.2 in order to maximize competition.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current lease on December 31, 2013. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

GSAPBS

**PROSPECTUS – LEASE  
U.S. DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
NORTHERN VIRGINIA**

Prospectus Number: PVA-07-WA12

Congressional District: 8

**Description**

Occupants:	USDA-FS
Lease Type:	Replacement
Current Rentable Square Feet (RSF):	101,234 (Current RSF/USF=1.15)
Proposed Maximum RSF:	106,000 (Market RSF/USF=1.2)
Expansion Space <sup>1</sup> :	None
Current Usable Square Feet/Person:	182
Proposed Usable Square Feet/Person:	182
Proposed Maximum Leasing Authority:	15 years
Expiration Date of Current Leases:	December 31, 2013
Proposed Delineated Area:	Northern, VA
Number of Official Parking Spaces:	8
Scoring:	Operating lease
Maximum Proposed Rental Rate <sup>2</sup> :	\$39.00
Proposed Total Annual Cost <sup>3</sup> :	\$4,134,000
Current Total Annual Cost:	\$3,568,095 (leases effective 1998 and 2000)

**Background**

The Rosslyn Plaza C and Rosslyn Plaza E Buildings, located at 1601 and 1621 N. Kent Street in Arlington, VA, were constructed in 1965 and originally occupied by USDA-FS under leases with effective dates between September 1998 and December 2000.

**Justification**

USDA-FS must vacate the space it occupies at 1601 and 1621 N. Kent Street by the December 31, 2013, expiration of the current leases and requires continued housing to carry out its long-term mission requirements.

<sup>1</sup> The RSF/USF at the current location is approximately 1.15.

<sup>2</sup> This estimate is for fiscal year 2014 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

<sup>3</sup> Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE  
U.S. DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
NORTHERN VIRGINIA**

Prospectus Number: PVA-07-WA12  
Congressional District: 8

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**Summary of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an energy Star performance rating of 75 or higher.

**Resolutions of Approval**

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

**Interim Leasing**

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA

PBS

**PROSPECTUS — LEASE  
U.S. DEPARTMENT OF AGRICULTURE  
FOREST SERVICE  
NORTHERN VIRGINIA**

Prospectus Number: PVA-07-WA12

Congressional District: 8

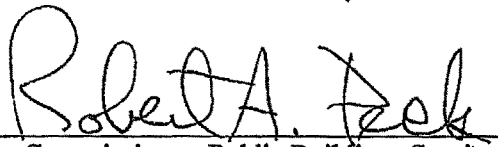
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**Certification of Need**

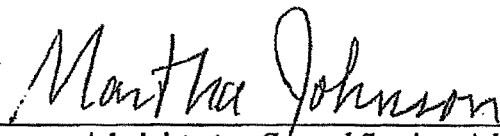
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on December 6, 2011

Recommended: \_\_\_\_\_

  
Commissioner, Public Buildings Service

Approved: \_\_\_\_\_

  
Administrator, General Services Administration



August 2011

Housing Plan  
Department of Agriculture  
Forest Service

Northern, VA  
PVA-07-WA12

Leased Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1601 N Kent Street	286	286	37,234	500	5,000	42,734						
1621 N Kent Street	197	197	39,678	500	5,000	45,178						
Proposed Lease							483	483	76,912	1,000	10,000	87,912
Total	483	483	76,912	1,000	10,000	87,912	483	483	76,912	1,000	10,000	87,912

Office Utilization Rate (UR) *		
	Current	Proposed
Rate	124	124

\* UR = average amount of office space per person  
Current UR excludes 16,920 usf of office support space  
Proposed UR excludes 16,920 usf of office support space

USF/Person **		
	Current	Proposed
Rate	182	182

\*\* USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	87,912	1.15	101,234
Proposed	87,912	1.2 ***	106,000

\*\*\* Market R/U Factor for Competitive Procurement

↓

Special Space	USF
Information Center	3,000
Telecom	1,500
Café/Kitchen	3,500
Conference	2,000
Total	10,000

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).



**Committee on Transportation and Infrastructure  
U.S. House of Representatives**

**Bill Shuster**  
Chairman

**Washington, DC 20515  
COMMITTEE RESOLUTION**

**Nick J. Rahall, III**  
Ranking Member

Christopher P. Bertram, Staff Director

**LEASE  
DEPARTMENT OF THE TREASURY  
FINANCIAL MANAGEMENT SERVICE  
SUBURBAN MARYLAND  
PMD-05-WA12**

James H. Zoia, Democrat Staff Director

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 327,000 rentable square feet of space, including 30 parking spaces, for the Department of the Treasury, Financial Management Service, currently located at Metro II, 3700 East West Highway, Hyattsville, Maryland, at a proposed total annual cost of \$8,502,000 for a lease term of up to five years, a prospectus for which is attached to and included in this resolution.*

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided that,* the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 249 square feet or less per person.

*Provided that,* except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 249 square feet or higher per person.

*Provided that,* to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

*Provided further,* that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further,* that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

A handwritten signature in black ink, reading "Bill Shuster".

Bill Shuster, M.C.  
Chairman

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF THE TREASURY  
FINANCIAL MANAGEMENT SERVICE .  
SUBURBAN MARYLAND**

Prospectus Number: PMD-05-WA12  
Congressional District: 8

**Executive Summary**

The General Services Administration (GSA) proposes a lease extension of up to 327,000 rentable square feet (rsf) for the Department of the Treasury, Financial Management Service (FMS) currently located at Metro II, 3700 East West Highway, Hyattsville, MD. The current lease at Metro II expires September 30, 2012, and GSA is seeking a five year lease extension to allow FMS sufficient time to develop and budget for their long-term space requirements. The government will have termination rights after the third year of the extension period.

**Description**

Occupants:	Financial Management Service/Treasury
Lease Type:	Lease Extension
Current Rentable Square Feet (RSF):	393,000 (Current RSF/USF=1.1)
Proposed Maximum RSF:	327,000 (Proposed RSF/USF=1.1)
Expansion Space:	Reduction of 66,000 rsf
Current Usable Square Feet/Person:	299
Proposed Usable Square Feet/Person:	249
Proposed Maximum Leasing Authority:	5 Years
Expiration Date of Current Lease:	September 30, 2012
Delineated Area:	3700 East West Highway Hyattsville, Maryland
Number of Official Parking Spaces:	30
Scoring:	Operating Lease
Maximum Proposed Rental Rate: <sup>1</sup>	\$26.00
Proposed Total Annual Cost: <sup>2</sup>	\$8,502,000
Current Total Annual Cost:	\$8,168,218 (lease effective 1992)

<sup>1</sup> This estimate is for fiscal year 2013 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

<sup>2</sup> Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF THE TREASURY  
FINANCIAL MANAGEMENT SERVICE  
SUBURBAN MARYLAND**

Prospectus Number: PMD-05-WA12

Congressional District: 8

---

**Background**

FMS provides central payment services to Federal Program Agencies and operates the federal government's collections and deposit systems. FMS provides government-wide accounting and reporting services, and manages the collection of delinquent debt owed to the government.

**Justification**

FMS has asked to extend its current leasehold tenancy in order to plan for its longer term space requirements. To that end, it has commissioned a study which will serve as the basis for developing a prospectus to be submitted in a future fiscal year program. The lease extension proposed in this current prospectus will give FMS time to work out the details of its housing requirements and budget for associated costs. In the interim, FMS will reduce their square footage within the building by 66,000 RSF, consisting of two floors they currently occupy, at the expiration of the current lease.

GSA will attempt to negotiate termination rights into the lease agreement to provide a flexible transition to FMS' long-term housing solution.

**Summary of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an energy Star performance rating of 75 or higher.

**Resolutions of Approval**

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF THE TREASURY  
FINANCIAL MANAGEMENT SERVICE  
SUBURBAN MARYLAND**

Prospectus Number: PMD-05-WA12  
Congressional District: 8

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**Interim Leasing**

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

**Certification of Need**

The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on December 6, 2011

Recommended: \_\_\_\_\_



Commissioner, Public Buildings Service

Approved: \_\_\_\_\_



Administrator, General Services Administration

March 2011

DEPARTMENT OF THE TREASURY  
FINANCIAL MANAGEMENT SERVICE  
HOUSING PLAN

PMF-WA12

Building Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Current	Proposed	Office	Storage	Special	Total	Current	Proposed	Office	Storage	Special	Total
Metro II	1,194	1,194	271,803	19,500	65,586	356,889						
Proposed Lease							1,194	1,194	226,794	18,033	52,062	296,889
<b>TOTALS</b>	<b>1,194</b>	<b>1,194</b>	<b>271,803</b>	<b>19,500</b>	<b>65,586</b>	<b>356,889</b>	<b>1,194</b>	<b>1,194</b>	<b>226,794</b>	<b>18,033</b>	<b>52,062</b>	<b>296,889</b>

Office Utilization Rate (UR) *		
	Current	Proposed
Rate	178	148

\*UR=average amount of space per person  
Current UR excludes 59,797 usf of office support space  
Proposed UR excludes 49,895 usf of office support space

USF/Person **		
	Current	Proposed
Rate	299	249

\*\* USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	356,889	1.1	393,000
Proposed	296,889	1.1	327,000

Special Space	USF
Conference	17,200
File Rooms	14,800
Health Unit	1,500
Credit Union	400
Break Rooms	3,274
Fitness Rooms	1,600
Toilet/Shower	3,838
Training	5,505
Security	1,900
Copy Rooms	2,045
<b>Total</b>	<b>52,062</b>

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars).  
Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).



**Committee on Transportation and Infrastructure**  
**U.S. House of Representatives**

**Bill Shuster**  
**Chairman**

**Washington, DC 20515**  
**COMMITTEE RESOLUTION**

**Nick J. Rahall, III**  
**Ranking Member**

Christopher P. Bertram, Staff Director

**ALTERATION**  
**CONSOLIDATION INTO FEDERALLY OWNED SPACE**  
**VARIOUS LOCATIONS**  
**PCO-0001-VA13**

James H. Zola, Democrat Staff Director

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for alterations to the Daniel Patrick Moynihan U.S. Courthouse in New York, NY and the Peachtree Summit Federal Building in Atlanta, GA to allow for the consolidation of various government agencies from existing lease locations into federally owned space, at a proposed cost of \$16,100,000, a prospectus for which is attached to and included in this resolution.*

*Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.*

**Adopted: February 28, 2013**

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.  
Chairman



GSA

PBS

**PROSPECTUS – CONSOLIDATION INTO FEDERALLY OWNED SPACE  
VARIOUS LOCATIONS**

Prospectus Number: PCO-0001-VA13  
Congressional Districts: Multiple

**Prospectus Summary:**

The General Services Administration (GSA) proposes interior space alterations to the Daniel Patrick Moynihan U.S. Courthouse, New York, NY and the Peachtree Summit Federal Building, Atlanta, GA, to allow for the consolidation of various government agencies from existing lease locations into federally owned space. The proposed projects will recapture vacant Government-owned space, resulting in the avoidance of costly future year lease obligations and improved utilization of owned assets.

**Proposed Buildings:**

Daniel Patrick Moynihan U.S. Courthouse.....\$13,800,000  
New York, NY

Peachtree Summit Federal Building .....\$2,300,000  
Atlanta, GA

**Authorization Requested** .....\$16,100,000

**Schedule**

FY 2013	Construction Start
FY 2014	Project Completion

**Summary of Energy Compliance**

This project will integrate and implement sustainable design principles and energy efficiency effort as seamlessly as possible into all aspects of both the design and construction process.

**Alternatives Considered (30-year, present value cost analysis)**

There are no feasible alternatives to these projects.

**Recommendation**

ALTERATION and CONSOLIDATION INTO FEDERALLY OWNED SPACE

GSAPBS

**PROSPECTUS – CONSOLIDATION INTO FEDERALLY OWNED SPACE  
VARIOUS LOCATIONS**

Prospectus Number: PCO-0001-VA13  
Congressional Districts: Multiple

**Proposed Projects:**

**Daniel Patrick Moynihan U.S. Courthouse.....\$13,800,000**  
**500 Pearl Street**  
**New York, NY**  
**Tenant agencies: Judiciary and GSA**

In support of the building-wide modernization project currently underway at the Thurgood Marshall U.S. Courthouse, New York, NY, it was necessary to relocate Probation and Pretrial Services from the Moynihan Courthouse to leased space in order to provide temporary chambers for the District judges displaced from the Thurgood Marshall Courthouse. When the District judges move back into the Thurgood Marshall Courthouse in 2012, approximately 138,000 rentable square feet (rsf), will become vacant in the Moynihan Courthouse. This project proposes alterations to restore and re-align the space currently configured as judge's chamber to space that will allow for the relocation of Probation, Pretrial Services and other Judiciary functions into the Moynihan Courthouse. The reconsolidation of these Judiciary functions will allow the Government to release costly leased space reducing the Government's rental payment by \$7,100,000 annually.

**Peachtree Summit Federal Building .....\$2,300,000**  
**401 W. Peachtree Street**  
**Atlanta, GA**  
**Tenant agencies: Multiple tenants. This project will relocate the Department of Housing and Urban Development into the Federal building.**

The Peachtree Summit FB currently has 115,000 rsf of vacant space providing for an opportunity to consolidate Government operations within Federally owned space. HUD operations within Atlanta are currently housed in multiple locations – in both leased space and federally-owned space. By consolidating HUD operations into the vacant space in the Peachtree Summit FB, HUD will reduce their overall footprint space by 18,970 rentable square feet and reduce their annual lease costs by \$1.8 million by eliminating their leased space in Atlanta. In addition to the cost savings, occupancy in Federally owned space will address poor configuration, security issues, and other concerns that HUD has experienced in their current leased location. Relocating HUD to the Peachtree Summit FB will also make more efficient use of vacant federally-owned space, accommodate HUD's requirements allowing for in-house conference and training space, reduce HUD's costs, and address agency security concerns.

GSAPBS

**PROSPECTUS — CONSOLIDATION INTO FEDERALLY OWNED SPACE  
VARIOUS LOCATIONS**

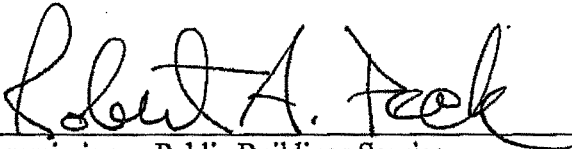
Prospectus Number: PCO-0001-VA13  
Congressional Districts: Multiple

**Certification of Need**

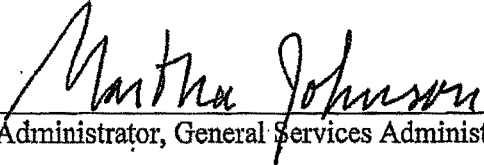
The proposed projects are the best solutions to meet validated Government needs.

Submitted at Washington, DC, on February 22, 2012

Recommended: \_\_\_\_\_

  
Commissioner, Public Buildings Service

Approved: \_\_\_\_\_

  
Administrator, General Services Administration



**Committee on Transportation and Infrastructure**  
**U.S. House of Representatives**

**Bill Shuster**  
**Chairman**

**Washington, DC 20515**  
**COMMITTEE RESOLUTION**

**Nick J. Rahall, III**  
**Ranking Member**

Christopher P. Bertram, Staff Director

**ALTERATION**  
**EXIGENT NEED PROJECTS**  
**VARIOUS BUILDINGS**  
**PEX-00001**

James H. Zoia, Democrat Staff Director

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for critical needs projects to improve building safety systems, abate hazardous materials, and repair structural deficiencies within Government-owned buildings during fiscal year 2013, at a proposed cost of \$122,936,000, a prospectus for which is attached to and included in this resolution.*

*Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.*

Adopted: February 28, 2013

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.  
Chairman

GSAPBS

**PROSPECTUS – ALTERATION  
EXIGENT NEED PROJECTS  
VARIOUS BUILDINGS**

Prospectus Number:	PEX-00001
Congressional Districts	Multiple

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**Description:**

This prospectus is submitted to seek authorization to undertake critical need projects during fiscal year 2013.

**Justification:**

GSA is seeking authority to undertake critical needs projects improving building and safety systems, including elevators, fire and life safety, electrical and heating and ventilation systems; abating hazardous materials; and repairing structural deficiencies.

**Alternatives:**

STATUS QUO - Continued operation of systems and facilities that are antiquated, unsafe and unreliable as well as the underutilization of owned space which results in costly lease space obligations is not an acceptable alternative.

ALTERATION – Reliable and safe building systems and fully utilized government owned space is essential to the management and operation of these facilities.

**Recommendation:**

Authorize construction funding in the amount of \$122,936,000 for the projects described below.

**Authority Requested in this Prospectus.....\$122,936,000**

GSAPBS

**PROSPECTUS – ALTERATION  
EXIGENT NEED PROJECTS  
VARIOUS BUILDINGS**

Prospectus Number:  
Congressional Districts

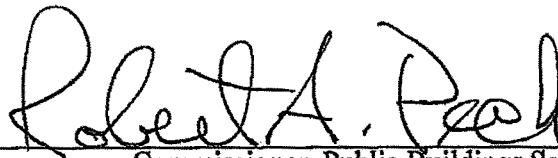
PEX-00001  
Multiple

**Certification of Need**

The proposed projects are the best solutions to meet validated Government needs.

Submitted at Washington, DC, on February 22, 2012

Recommended:



Commissioner, Public Buildings Service

Approved:



Administrator, General Services Administration

GSAPBS

**PROSPECTUS – ALTERATION  
EXIGENT NEED PROJECTS  
VARIOUS BUILDINGS**

Prospectus Number:	PEX-00001
Congressional Districts	Multiple

**FISCAL YEAR 2013 EXIGENT NEEDS PROJECTS**

Baltimore, MD	
G. H Fallon Federal Building	\$ 5,158,000
New York, NY	
Ted Weiss Federal Building	\$11,700,000
New York, NY	
Conrad B. Duberstein U.S. Bankruptcy Courthouse	\$ 5,000,000
Chamblee, GA	
Chamblee IRS Annex	\$ 3,400,000
Denver, CO	
U.S. Customs House	\$ 3,200,000
Missoula, MT	
Missoula Federal Building Post Office and U.S. Courthouse	\$ 5,000,000
San Francisco, CA	
Phillip Burton Federal Building and U.S. Courthouse	\$ 5,500,000
Portland, OR	
BPA Building	\$ 8,500,000
Portland, OR	
911 Federal Building	\$ 7,000,000
Multiple Buildings	
Anderson, SC - G. Ross Anderson Jr. Federal Building Courthouse	
Dublin, GA - Roy Rowland Federal Courthouse	
Charleston, SC – U.S. Customs House	
Owensboro, KY - Federal Building	\$3,000,000
Washington, DC	
Sidney Yates Building	\$ 11,000,000
Washington, DC	
GSA Headquarters Building	\$ 3,200,000
Washington, DC	
Frances Perkins Building	\$ 15,000,000
Washington, DC	
Robert C. Weaver Building	\$ 12,000,000
Washington, DC	
Harry S. Truman (Main State) Building	\$ 9,000,000
Reston, VA	
John W. Powell Federal Building	\$ 10,265,000
Battle Creek, MI	
Battle Creek Federal Complex	\$ 5,013,000



GSA

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**PROSPECTUS – ALTERATION  
EXIGENT NEED PROJECTS  
VARIOUS BUILDINGS**

Prospectus Number: PEX-00001  
Congressional Districts Multiple

**Project Descriptions**

Baltimore, MD  
G. H. Fallon Federal Building ..... \$5,158,000

The project would replace aging and original bus ducts at the Fallon Federal Building. The bus ducts are in poor operating condition, deteriorated, unreliable, and unsafe, posing a potentially severe danger to the building tenants if they fail. The insulation is worn and peeling, exposing live conductors that frequently malfunction. The bus ducts are critical primary electrical distribution devices that supply high voltage electrical power throughout the building. The severe and continued deterioration of the ducts' insulation increases the likelihood of catastrophic electrical failures, leading to building shutdowns.

New York, NY  
Ted Weiss Federal Building ..... \$11,700,000

The project would modernize the elevators in the 34 story Ted Weiss Federal Building. The elevators have reached the end of their useful life with interrupted service being a constant problem. Necessary repairs to the elevators will improve safety and ensure reliability.

New York, NY  
Conrad B. Duberstein U.S. Bankruptcy Courthouse..... \$5,000,000

The project would stabilize the terra cotta vaulted ceiling above the drop ceiling and remediate the lead paint covered plaster at the Conrad B. Duberstein Bankruptcy Courthouse which was constructed in 1892. The plaster ceiling has fallen through the drop ceiling on several occasions, which poses safety concerns. A temporary measure has been put in place to protect building occupants, however the falling debris needs to be addressed in a permanent manner.

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**PROSPECTUS – ALTERATION  
EXIGENT NEED PROJECTS  
VARIOUS BUILDINGS**

Prospectus Number:	PEX-00001
Congressional Districts	Multiple

**Chamblee, GA**

Chamblee IRS Annex.....	\$3,400,000
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The Internal Revenue Service Annex parking deck is experiencing excessive slab deflections, cracking and distress at both elevated slabs and multiple other serviceability and strength issues. This project will complete repair of all strength and serviceability issues including strengthening the existing elevated slabs and their supporting columns, repairing all concrete/CMU cracks and spalls, adding additional lateral force resisting shearwalls with supporting foundations, and adding a steel support frame with supporting foundation along the length of the cantilever portion of the slabs. These repairs will allow for the utilization of all of the structure's 778 parking spaces, including the approximately 115 which have been shut down due to these deficiencies.

**Denver, CO**

U.S. Customs House.....	\$3,200,000
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The project includes repairs to the HVAC system, mold remediation, asbestos abatement and incidental preservation of historic features for the Customs House in affected areas. Mold remediation activities include repair of the subfloor from leaking induction units, and asbestos abatement of floor tile and floor replacement. Renovations to the restrooms will be undertaken to comply with ADA compliance and to remedy existing health and safety hazards.

**Missoula, MT**

Missoula Federal Building Post Office and U.S. Courthouse.....	\$5,000,000
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The project for the Missoula, MT Federal Building-Post Office and U.S. Courthouse would install a new ADA compliant elevator, replace the electrical panels and switches, install an emergency power generator; upgrade restrooms to ADA compliance, upgrade the HVAC system, repair exterior masonry and replace the hot water distribution system. The current cooling towers have passed their useful life and are in need of replacement. An EMS system will control the entire building conditioning system to provide energy savings and improve tenant comfort. A new elevator will meet ADA standards and provide access to every floor. The electrical system will be brought up to current standards. Repairs to the exterior masonry will stop water penetration and further damage to interior paint and plaster and prevent the possibility of mold growth.

GSA

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**PROSPECTUS – ALTERATION  
EXIGENT NEED PROJECTS  
VARIOUS BUILDINGS**

Prospectus Number:	PEX-00001
Congressional Districts	Multiple

San Francisco, CA  
Phillip Burton Federal Building & Courthouse..... \$5,500,000

The project includes raising existing air intakes to the third floor level from the current ground level location, reducing the level of ground contaminants entering into the ventilation system.

Portland, OR  
Bonneville Power Administration Building..... \$8,500,000

The building requires upgrading of elevator controls and the relocation of HVAC outside air intakes from the street level to the third floor. Elevators are experiencing reliability issues. New elevator controls will use more energy efficient equipment. The existing air intakes, which are at street level will be raised to reduce the amount of ground contaminant particles entering the ventilation system. .

Portland, OR  
911 Federal Building ..... \$7,000,000

The project includes the replacement of the electrical service and distribution equipment and the addition of a lightning protection system to the 911 Federal Building. Nearly all of the electrical equipment is original to the 1953 office building. The electrical system is beyond its useful life and has serviceability issues as a result of parts for repair and maintenance becoming more difficult to obtain. The building does not have a lightning protection system and a facility condition assessment indicated that the building has a moderate to high risk per National Fire Protection Association (NFPA) standards.

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**PROSPECTUS – ALTERATION  
EXIGENT NEED PROJECTS  
VARIOUS BUILDINGS**

Prospectus Number:	PEX-00001
Congressional Districts	Multiple

**Anderson, SC**

G. Ross Anderson Jr. Federal Building Courthouse

**Dublin, GA**

Roy Rowland Federal Courthouse

**Charleston, SC**

U.S. Customs House

**Owensboro, KY**

Federal Building ..... \$3,000,000

The fire alarm systems in the G. Ross Anderson Jr. Federal Building Courthouse, the Roy Rowland Federal Courthouse, the U.S. Customs House and the Federal Building are outdated and need to be replaced. The manufacturers can no longer maintain the systems because spare parts are not available. The buildings have only a single open stair for egress from the upper floors. To increase the life safety of the building and the occupants, a sprinkler system will be installed with a booster fire pump to accommodate the low water pressure and new underline water systems will be installed. The new alarm systems will include voice evacuation systems to comply with the current requirements of the NFPA 72, National Fire Alarm Code.

**Washington, DC**

Sidney Yates Building..... \$11,000,000

The exterior envelope of the historic Sidney Yates Building requires repairs to ensure pedestrian safety due to the hazard of falling masonry and to combat the effects of water infiltration. The project includes re-pointing of exterior masonry walls and projecting bands, repairing damaged stone and masonry in the moat retaining walls, repairing railings around the building, caulking of exterior facing windows, repair/replace of built-in gutter lines, replace counter flashing above the gutter lines and installation of drain bodies in all rain leaders.

**Washington, DC**

GSA Headquarters Building..... \$3,200,000

The elevators at the General Services Administration Headquarters Building are in need of upgrades to ensure reliability. These elevators are not a part of the first phase of the current modernization project and have passed their useful life and need to be replaced. Numerous problems have been and continue to be reported, and expensive and sustained outages are common due to difficulty finding parts.

GSA

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**PROSPECTUS – ALTERATION  
EXIGENT NEED PROJECTS  
VARIOUS BUILDINGS**

Prospectus Number: PEX-00001  
Congressional Districts Multiple

Washington, DC  
Frances Perkins Building .....\$15,000,000

The fire alarm system in the Frances Perkins Building is outdated and needs to be upgraded to provide emergency communication features and to comply with the National Fire Alarm Code and current GSA requirements. The manufacturer is no longer maintaining this type of system and spare parts are not available and must be fabricated at significant cost to Government. If the system fails, the building and occupants will be without a centralized way to be notified in the event of a fire emergency. In addition, the system does not have a voice component which would permit its use for other types of non-fire emergencies.

Washington, DC  
Robert C. Weaver Building.....\$12,000,000

The existing fire alarm system in the Robert C. Weaver Building, has failed several times over the past few years leaving the building without an alarm and vulnerable on multiple occasions. The system does not provide reliable service or voice communication to the building and needs to be upgraded. While there have been minor modifications and additions to the system, the antiquated hardwired system is no longer supported by manufacturers. Any failure of a major component will result in inoperable conditions since replacement parts are no longer available. In addition, the current system does not comply with the National Fire Alarm Code or GSA requirements.

Washington, DC  
Harry S. Truman (Main State) Building.....\$9,000,000

Approximately 22 elevators in the Harry S. Truman (Main State) Building need to be renovated. Since 1988, approximately one-half of the building has been part of an ongoing modernization project. However, the proposed elevator renovation is not part of the current project. The elevators are susceptible to reliability problems as the operational life of the equipment is unknown and continued availability of the parts is uncertain.

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**PROSPECTUS – ALTERATION  
EXIGENT NEED PROJECTS  
VARIOUS BUILDINGS**

Prospectus Number:	PEX-00001
Congressional Districts	Multiple

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**Reston, VA**

John W. Powell Federal Building ..... \$10,265,000

The fire alarm system in the John W. Powell Federal Building needs to be upgraded to provide emergency communication features and to comply with the National Fire Alarm Code, and current GSA requirements.

**Battle Creek, MI**

Battle Creek Federal Center ..... \$5,013,000

The Battle Creek Federal Center, also known as the Hart-Dole-Inouye Federal Center consists of 21 buildings which contain approximately 800,000 rentable square feet of space. The buildings are located on 25 acres of land, northwest of the Battle Creek CBD. This asset is currently used by the Defense Logistics Agency and operates 24/7. The fire and life safety system does not comply with current codes and will be replaced for the entire complex. The upgraded system would include strobes, and notification devices.



**Committee on Transportation and Infrastructure  
U.S. House of Representatives**

**Bill Shuster**  
Chairman

Washington, DC 20515  
**COMMITTEE RESOLUTION**

**Nick J. Rahall, III**  
Ranking Member

Christopher P. Bertram, Staff Director

**LEASE  
DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE  
NORTHERN VIRGINIA  
PVA-09-WA13**

James H. Zoia, Democrat Staff Director

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 183,000 rentable square feet of space, including 15 parking spaces, for the Department of the Interior Fish and Wildlife Service, currently located at 4301, 4401, and 4501 North Fairfax Drive, Arlington, Virginia, at a proposed total annual cost of \$7,137,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.*

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided that*, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 189 square feet or less per person.


*Provided that*, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 189 square feet or higher per person.

*Provided that*, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

  
Bill Shuster, M.C.  
Chairman



**GSA****PBS**

**PROSPECTUS – LEASE  
DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE  
NORTHERN VIRGINIA**

Prospectus Number: PVA-09-WA13  
Congressional District: 8, 10, 11

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**Executive Summary**

The General Services Administration (GSA) proposes a replacement lease of up to 223,000 rentable square feet for the Department of the Interior (DOI) Fish & Wildlife Service (FWS) currently located at 4301, 4401, and 4501 North Fairfax Drive, Arlington, VA.

Replacement of the current leases at multiple locations will enable DOI-FWS to provide continued housing for current personnel and also to accommodate projected increases in staffing needed to launch a new initiative to track the effects of climate change on wildlife. In meeting both its current and proposed mission requirements, DOI-FWS will significantly improve its utilization of space, resulting in the improvement of its office utilization rate from 164 USF to 129 USF per person and its overall utilization rate from 243 USF to 190 USF per person. The end product of improved space utilization is the prospectus proposal to house both current personnel and new hires in 35,000 RSF less space than the total of current occupancies.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current leases in 2013 and 2014. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

**Acquisition Strategy**

In order to maximize the flexibility in acquiring space to house the Department of Interior, Fish and Wildlife elements, GSA may issue a single, multiple award solicitation that will allow offerors to provide blocks of space able to meet requirements in whole or in part.

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**PROSPECTUS – LEASE  
DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE  
NORTHERN VIRGINIA**

Prospectus Number: PVA-09-WA13  
Congressional District: 8, 10, 11

**Description**

Occupant:	FWS
Lease Type	Replacement
Current Rentable Square Feet (RSF)	258,373 (Current RSF/USF = 1.2)
Proposed Maximum RSF:	223,000 (Proposed RSF/USF = 1.2)
Expansion Space:	Reduction of 35,373 RSF
Current Usable Square Feet/Person:	243
Proposed Usable Square Feet/Person:	190
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Leases:	1/2/2013, 9/11/2013, 9/30/2013 and 4/14/2014
Delineated Area:	Northern Virginia
Number of Official Parking Spaces:	15
Scoring:	Operating Lease
Maximum Proposed Rental Rate <sup>1</sup> :	\$39.00
Proposed Total Annual Cost <sup>2</sup> :	\$8,697,000
Current Total Annual Cost:	\$8,942,741 (leases effective 1/3/03, 8/12/02, 10/1/08, 4/15/04)

**Background**

The FWS headquarters was established on North Fairfax Drive approximately 24 years ago. Currently, staff occupies all or portions of three adjacent buildings. Due to this adjacency, FWS has installed a secure, underground fiber optic network connecting the buildings. The existing housing solution for FWS indicates that multiple adjacent buildings as well as a single building can meet the agency's requirements for an integrated headquarters operation. This is reflected in the acquisition strategy indicated above.

<sup>1</sup>This estimate is for fiscal year 2014 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

<sup>2</sup>Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE  
NORTHERN VIRGINIA**

Prospectus Number: PVA-09-WA13

Congressional District: 8, 10, 11

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**Justification**

FWS is currently housed in multiple building under multiple leases that will expire in 2013 and 2014. In addition, FWS has established a new initiative to track the effects of climate change on wildlife and their habitats. New hires coming on board between 2010 and 2013 will support this new initiative. The leasing strategy proposed in this prospectus will provide housing for all current FWS personnel as well as new hires to ensure continuing performance of the FWS mission.

**Summary of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Request for Proposals and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an energy Star performance rating of 75 or higher.

**Resolutions of Approval**

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

**Interim Leasing**

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF THE INTERIOR  
FISH AND WILDLIFE SERVICE  
NORTHERN VIRGINIA**

Prospectus Number: PVA-09-WA13  
Congressional District: 8, 10, 11

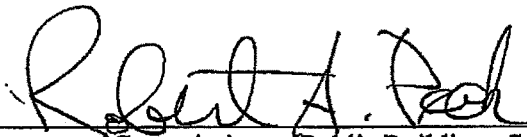
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**Certification of Need**

The proposed lease is the best solution to meet a validated Government need.


Submitted at Washington, DC, on February 22, 2012

Recommended: \_\_\_\_\_



Commissioner, Public Buildings Service

Approved: \_\_\_\_\_



Administrator, General Services Administration

November 2011

Housing Plan  
Department of Interior  
Fish and Wildlife Service

PVA-09-WA13  
Northern, VA

Leased Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
4501 N Fairfax Drive	293	293	57,805		7,317	65,122						
4301 N Fairfax Drive	135	135	25,997		4,174	30,171						
4401 N Fairfax Drive	459	459	102,697	5,821	11,500	120,018						
Proposed Lease(s)							979	979	162,527		23,107	185,634
Total	887	887	186,499	5,821	22,991	215,311	979	979	162,527		23,107	185,634

Office Utilization Rate (UR) *		
	Current	Proposed
Rate	164	129

\* UR = average amount of office space per person  
Current UR excludes 41,030 usf of office support space  
Proposed UR excludes 35,756 usf of office support space

USF/Person **		
	Current	Proposed
Rate	243	190

\*\* USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	215,311	1.2	258,373
Proposed	185,634	1.2	223,000

Special Space	USF
IT Data Center	2,635
Conference/Training	3,800
Kitchenettes	3,500
Library/Map	5,872
Evidence/Weapons Storage	2,800
Secure Loading/Receiving	2,000
FPS Entry Screening	1,500
Health/Wellness Area	1,000
Total	23,107

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building  
Usable square footage does not include space devoted to building operations and maintenance



**Committee on Transportation and Infrastructure  
U.S. House of Representatives**

**Bill Shuster  
Chairman**

**Washington, DC 20515  
COMMITTEE RESOLUTION**

**Nick J. Rahall, Jr.  
Ranking Member**

Christopher P. Bertram, Staff Director

**LEASE  
NATIONAL LABOR RELATIONS BOARD  
WASHINGTON, DC  
PDC-05-WA13**

James H. Zoia, Democrat Staff Director

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 155,000 rentable square feet of space, including 11 parking spaces, for the National Labor Relations Board, currently located at 1099 14<sup>th</sup> Street, NW, Washington, DC, at a proposed total annual cost of \$7,750,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.*

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided that*, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 200 square feet or less per person.

*Provided that*, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 200 square feet or higher per person.

*Provided that*, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.  
Chairman

GSA

PBS

**PROSPECTUS – LEASE  
NATIONAL LABOR RELATIONS BOARD  
WASHINGTON, DC**

Prospectus Number: PDC-05-WA13

**Executive Summary**

The General Services Administration (GSA) proposes a replacement lease of up to 155,000 rentable square feet of space for the National Labor Relations Board (NLRB) in Washington, DC. NLRB is currently located in the Franklin Court Building at 1099 14<sup>th</sup> St., NW, Washington, DC.

NLRB will significantly improve its utilization of space, resulting in the improvement of its office utilization rate from 179 USF to 130 USF per person and its overall utilization rate from 307 USF to 200 USF per person. The end product of improved space utilization is the prospectus proposal to house NLRB personnel in approximately 92,000 RSF less space than the current occupancy.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current lease in June 2013. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

**Description**

Occupant:	NLRB
Lease Type	Replacement
Current Rentable Square Feet (RSF)	247,219 (Current RSF/USF =1.25)
Proposed Maximum RSF:	155,000 (Proposed RSF/USF=1.2)
Expansion Space RSF:	Reduction of 92,219 RSF
Current Usable Square Feet/Person:	307
Proposed Usable Square Feet/Person:	200
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Lease(s):	June 24, 2013
Delineated Area:	Washington, DC, Central Employment Area
Number of Official Parking Spaces:	11
Scoring:	Operating Lease

GSA

PBS

**PROSPECTUS – LEASE  
NATIONAL LABOR RELATIONS BOARD  
WASHINGTON, DC**

Prospectus Number: PDC-05-WA13

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Maximum Proposed Rental Rate <sup>1</sup> :	\$50.00
Proposed Total Annual Cost <sup>2</sup> :	\$7,750,000
Current Total Annual Cost:	\$11,264,352 (lease effective 6/25/08)

**Background**

The National Labor Relations Board is an independent federal agency vested with the power to safeguard employees' rights to organize and to determine whether to have unions as their bargaining representative. The agency also acts to prevent and remedy unfair labor practices committed by private sector employers and unions.

**Justification**

The current lease at 1099 14<sup>th</sup> Street, NW, Washington, DC expires on June 24, 2013. NLRB has been housed at this location since 1993. NLRB requires continued housing to carry out their mission and plans to do so in a more efficient real estate footprint. NLRB will be transitioning from a traditional workplace environment to one which is more flexible and conducive to a mobile work environment. Innovative approaches to space management and alternative workplace arrangements such as telework are under consideration. These strategies will increase NLRB's space efficiencies, reduce their footprint, and generate increased real estate cost savings long term.

**Summary of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

**Resolutions of Approval**

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

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<sup>1</sup> This estimate is for fiscal year 2013 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

<sup>2</sup> Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.



GSA

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**PROSPECTUS – LEASE  
NATIONAL LABOR RELATIONS BOARD  
WASHINGTON, DC**

Prospectus Number: PDC-05-WA13

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**Interim Leasing**

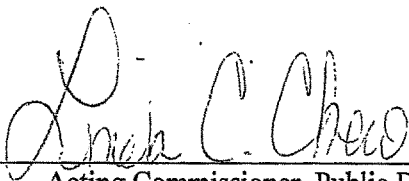
GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

**Certification of Need**

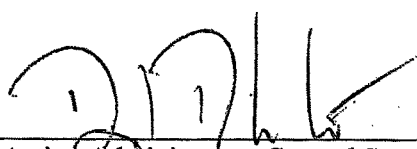
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on JUL 5 2012

Recommended: \_\_\_\_\_

  
Acting Commissioner, Public Buildings Service

Approved: \_\_\_\_\_

  
Acting Administrator, General Services Administration

October 2011

# Housing Plan NLRB

PDC-05-WA13  
Washington, DC

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1099 14th Street NW, Washington, DC	645	645	147,950	8,854	40,966	197,770						
Proposed Lease		-					645	645	107,500	2,817	18,683	129,000
Total	645	645	147,950	8,854	40,966	197,770	645	645	107,500	2,817	18,683	129,000

Office Utilization Rate (UR) *		
	Current	Proposed
Utilization Rate	179	130

\* UR = average amount of office space per person  
 Current UR excludes 32,549 USF of office support space  
 Proposed UR excludes 23,650 USF of office support space

USF/Person **		
	Current	Proposed
Rate	307	200

\*\* USF/Person = housing plan total USF divided by total personnel

	Total USF	RSE/USF	Maximum RSE
Current	197,770	1.25	247,219
Proposed	129,000	1.2	155,000

Special Space	USF
Computer Room	1,476
Conference Room	3,612
Copy Room	838
Health Unit	680
Kitchen/Break Rooms	2,142
Libraries	2,738
Mail Room	880
Court Rooms	2,059
Credit Union	836
Training Rooms	1,218
Cases File Room	2,208
Total	18,683

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building  
 Usable square footage does not include space devoted to building operations and maintenance



**Committee on Transportation and Infrastructure  
U.S. House of Representatives**

**Bill Shuster**  
Chairman

Washington, DC 20515  
**COMMITTEE RESOLUTION**

**Nick J. Rahall, III**  
Ranking Member

Christopher P. Bertram, Staff Director

**LEASE  
DEPARTMENT OF COMMERCE  
BUREAU OF ECONOMIC ANALYSIS  
WASHINGTON, DC  
PDC-12-WA13**

James H. Zoia, Democrat Staff Director

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 135,000 rentable square feet of space, for the Department of Commerce, Bureau of Economic Analysis, currently located at 1441 L Street, NW, Washington, DC, at a proposed total annual cost of \$6,750,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.*

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided that*, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 197 square feet or less per person.

*Provided that*, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 197 square feet or higher per person.

*Provided that*, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

  
Bill Shuster, M.C.  
Chairman

GSA

PBS

**PROSPECTUS – LEASE  
DEPARTMENT OF COMMERCE  
BUREAU OF ECONOMIC ANALYSIS  
WASHINGTON, DC**

Prospectus Number: PDC-12-WA13

**Executive Summary**

The General Services Administration (GSA) proposes a replacement lease of up to 135,000 rentable square feet for the Department of Commerce (DOC), Bureau of Economic Analysis (BEA) currently located at 1441 L Street, NW, in Washington, DC. BEA has occupied space in this building under the current lease since 1993.

In meeting its mission requirements, BEA will improve its office utilization rate from 132 USF to 124 USF per person and its overall utilization rate from 226 USF to 197 USF per person. This will result in a 12,960 RSF space reduction in relation to its current occupancy.

**Description**

Occupants:	DOC-BEA
Lease Type:	Replacement
Current Rentable Square Feet (RSF)	147,960 (Current RSF/USF=1.13)
Proposed Maximum RSF <sup>1</sup> :	135,000 (Proposed RSF/USF=1.2)
Expansion Space:	Reduction of 12,960 RSF
Current Usable Square Feet/Person	226
Proposed Usable Square Feet/Person	197
Proposed Maximum Leasing	15 years
Authority: <sup>2</sup>	
Expiration Date of Current Lease:	June 12, 2013
Proposed Delineated Area:	Washington, DC Central Employment Area,
Number of Official Parking Spaces:	None
Scoring:	Operating lease
Maximum Proposed Rental Rate <sup>3</sup> :	\$50.00 per rentable square foot
Proposed Total Annual Cost <sup>4</sup> :	\$6,750,000
Current Total Annual Cost:	\$4,378,732 (lease effective 6/13/1993)

<sup>1</sup> The RSF/USF at the current location is approximately 1.13; however, to maximize competition, a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated on the housing plan.

<sup>2</sup> In order to provide flexibility for BEA to consolidate into federally owned space, the procurement of space will be for a 10-year term and 5-year option.

<sup>3</sup> This estimate is for fiscal year 2013 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

<sup>4</sup> Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

**GSA****PBS**

**PROSPECTUS – LEASE  
DEPARTMENT OF COMMERCE  
BUREAU OF ECONOMIC ANALYSIS  
WASHINGTON, DC**

Prospectus Number: PDC-12-WA13

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**Background**

Some of the widely used statistical measures produced by BEA include gross domestic product (GDP), personal income and outlays, corporate profits, GDP by state and by metropolitan area, balance of payments, and GDP by industry. These statistics are used by Federal, state, and local governments for budget development and projections; by the Federal Reserve for monetary policy; and by the business sector for planning and investment.

**Justification**

The current lease at 1441 L Street, NW, Washington, DC expires on June 12, 2013, and BEA requires continued housing to carry out its mission.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current lease in June 2013. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that the lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

**Summary of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

**Resolutions of Approval**

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF COMMERCE  
BUREAU OF ECONOMIC ANALYSIS  
WASHINGTON, DC**

Prospectus Number: PDC-12-WA13

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**Interim Leasing**

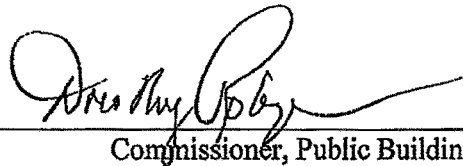
GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

**Certification of Need**

The proposed project is the best solution to meet a validated Government need.

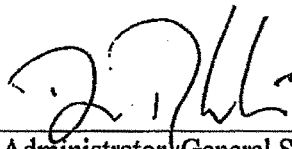
Submitted at Washington, DC, on November 21, 2012

Recommended: \_\_\_\_\_



Commissioner, Public Buildings Service

Approved: \_\_\_\_\_



Acting Administrator, General Services Administration

January 2012

# Housing Plan Bureau of Economic Analysis

Washington, DC  
PDC-12-WA13

Leased Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1441 L Street NW	566	566	95,520	-	32,272	127,792						
Proposed Lease							570	570	90,424	-	22,091	112,515
<b>Total</b>	<b>566</b>	<b>566</b>	<b>95,520</b>	<b>-</b>	<b>32,272</b>	<b>127,792</b>	<b>570</b>	<b>570</b>	<b>90,424</b>	<b>-</b>	<b>22,091</b>	<b>112,515</b>

Office Utilization Rate*		
Current		Proposed
Rate	132	124

\* UR = average amount of office space per person

Current UR excludes 21,014 USF of office support space

Proposed UR excludes 19,915 USF of office support space

USF/Person **		
Current		Proposed
Rate	226	197

\*\*USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	127,792	1.13	147,960
Proposed	112,515	1.20	135,000

Special Space	USF
Kitchen	1,836
Conf/Training	7,219
File Rooms	5,345
Fitness Center	1,985
Bike Storage	253
Library	581
Health Unit	756
Break Room	700
IT Space	2,449
Mail Room	479
Copy Rooms	488
<b>Total</b>	<b>22,091</b>

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units, and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms, and lobbies).



**Committee on Transportation and Infrastructure**  
**U.S. House of Representatives**

**Bill Shuster**  
**Chairman**

Washington, DC 20515  
**COMMITTEE RESOLUTION**

**Nick J. Rahall, III**  
**Ranking Member**

Christopher P. Bertram, Staff Director

**LEASE**  
**DEPARTMENT OF HEALTH AND HUMAN SERVICES**  
**ADMINISTRATION FOR CHILDREN AND FAMILIES**  
**WASHINGTON, DC**  
**PDC-11-WA13**

James H. Zoia, Democrat Staff Director

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 214,000 rentable square feet of space, including three parking spaces, for the Department of Health and Human Services, Administration for Children and Families, currently located at 901 D Street, SW and at 1250 Maryland Avenue, SW, Washington, DC, at a proposed total annual cost of \$10,700,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.*

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided that*, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 170 square feet or less per person.


*Provided that*, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 170 square feet or higher per person.

*Provided that*, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus; the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

  
Bill Shuster, M.C.  
Chairman



**GSA****PBS**

**PROSPECTUS – LEASE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
ADMINISTRATION FOR CHILDREN AND FAMILIES  
WASHINGTON, DC**

Prospectus Number: PDC-11-WA13

**Executive Summary**

The General Services Administration (GSA) proposes a replacement lease of up to 214,000 rentable square feet (RSF) for the Department of Health and Human Services (HHS) Administration for Children and Families (ACF). ACF is currently located at 901 D Street, SW, and at 1250 Maryland Avenue, SW, Washington DC.

Replacement of the current leases will enable HHS ACF to provide continued housing for current personnel and future staff members. In meeting its current mission requirements, HHS ACF will significantly improve its utilization of space, resulting in the improvement of its office utilization rate from 150 USF to 118 USF and its overall utilization rate from 209 USF to 170 USF per person. The end product of improved space utilization is the prospectus proposal to house both current personnel and new personnel in 27,980 RSF less than the total of current occupancies.

**Acquisition Strategy**

Although ACF has expressed a preference to be located in one building, that preference must be evaluated in the context of a competitive procurement that may result in one or more locations. GSA may issue a single, multiple award lease solicitation that will allow offerors to provide blocs of space able to meet these requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus in the description that follows.

**Description**

Occupant:	HHS-ACF
Lease Type:	Replacement
Current Rentable Square Feet (RSF):	241,980 (current RSF/USF = 1.16)
Proposed Maximum RSF <sup>1</sup> :	214,000 (market RSF/USF = 1.2)
Expansion Space RSF:	Reduction of 27,980 RSF
Current Usable Square Feet/Person:	209
Proposed Usable Square Feet/Person:	170
Proposed Maximum Leasing Authority:	15 years

<sup>1</sup>The average RSF/USF at the current locations is approximately 1.16, however to maximize competition, a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

GSAPBS

**PROSPECTUS – LEASE**  
**DEPARTMENT OF HEALTH AND HUMAN SERVICES**  
**ADMINISTRATION FOR CHILDREN AND FAMILIES**  
**WASHINGTON, DC**

Prospectus Number: PDC-11-WA13

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Expiration Date(s) of Current Lease(s):	11/30/14, 12/31/14
Delineated Area:	Washington, DC, Central Employment Area
Number of Official Parking Spaces:	3
Scoring:	Operating lease
Maximum Proposed Rental Rate <sup>2</sup> :	\$50.00
Proposed Total Annual Cost <sup>3</sup> :	\$10,700,000
Current Total Annual Cost:	\$11,299,045 (leases effective 12/1/09 and 1/1/10)

### **Background**

ACF is responsible for federal programs that promote the economic and social well-being of families, children, individuals, and communities. Actual services are provided by state, county, city and tribal governments, and public and private local agencies. ACF assists these organizations through funding, policy direction, and information services.

### **Justification**

ACF is currently housed at 901 D Street, SW, and at 1250 Maryland Avenue, SW, Washington, DC, under leases that expire December 31, 2014, and November 30, 2014, respectively. ACF requires continued housing to carry out its mission.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current leases on November 30 and December 31, 2014. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

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<sup>2</sup> This estimate is for fiscal year 2015 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

<sup>3</sup> Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

**GSA****PBS**

**PROSPECTUS – LEASE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
ADMINISTRATION FOR CHILDREN AND FAMILIES  
WASHINGTON, DC**

Prospectus Number: PDC-11-WA13

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**Energy Performance**

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

**Resolutions of Approval**

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

**Interim Leasing**

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
ADMINISTRATION FOR CHILDREN AND FAMILIES  
WASHINGTON, DC**

Prospectus Number: PDC-11-WA13

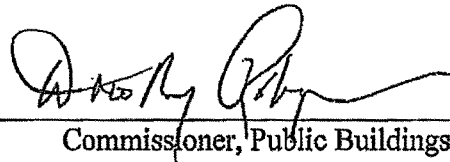
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**Certification of Need**

The proposed project is the best solution to meet a validated Government need.


Submitted at Washington, DC, on November 21, 2012

Recommended: \_\_\_\_\_



Commissioner, Public Buildings Service

Approved: \_\_\_\_\_

  
Acting Administrator, General Services Administration

February 2012

# Housing Plan HHS-ACF

PDC-11-WA13  
Washington, DC

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
901 D Street, SW, Washington DC	785	785	147,261	-	12,954	160,215						
1250 Maryland Avenue, SW, Washington DC	218	218	45,843		3,327	49,170						
Proposed Lease							1,049	1,049	159,094	-		19,236
Total	1,003	1,003	193,104	-	16,281	209,385	1,049	1,049	159,094	-	19,236	178,330

Office Utilization Rate (UR) *		
	Current	Proposed
Rate	150	118

\* UR = average amount of office space per person  
 Current UR excludes 42,483 USF of office support space  
 Proposed UR excludes 35,001 USF of office support space

USF/Person **		
	Current	Proposed
Rate	209	170

\*\* USF/Person = housing plan total USF divided by total personnel

	Total USF	USF/RSF	Maximum RSF
Current	209,385	1.16	241,980
Proposed	178,330	1.20	214,000

Special Space	USF
Conference/Training	9,506
LAN/Data	3,287
Mail Room	1,256
Food Service/Cafeteria	5,085
Private Toilet	102
Total	19,236

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).



**Committee on Transportation and Infrastructure  
U.S. House of Representatives**

**Bill Shuster**  
**Chairman**

**Washington, DC 20515**  
**COMMITTEE RESOLUTION**

**Nick J. Rahall, III**  
**Ranking Member**

Christopher P. Bertram, Staff Director

**LEASE  
DEPARTMENT OF HOMELAND SECURITY  
OFFICE OF THE INSPECTOR GENERAL  
WASHINGTON, DC  
PDC-02-WA13**

James H. Zoia, Democrat Staff Director

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 110,000 rentable square feet of space, for the Department of Homeland Security, Office of the Inspector General, currently located at 1120 Vermont Avenue, NW, Washington, DC, at a proposed total annual cost of \$5,500,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.*

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided that, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 211 square feet or less per person.*

*Provided that, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 211 square feet or higher per person.*

*Provided that, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.*

*Provided further, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.*

*Provided further, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.*

Adopted: February 28, 2013

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.  
Chairman

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF HOMELAND SECURITY  
OFFICE OF THE INSPECTOR GENERAL  
WASHINGTON, DC**

Prospectus Number: PDC-02-WA13

**Executive Summary**

The General Services Administration (GSA) proposes a replacement lease of up to 110,000 rentable square feet (RSF) of space for the Department of Homeland Security (DHS), Office of the Inspector General (OIG), currently located under multiple leases at 1120 Vermont Avenue, NW, Washington, DC.

In meeting its mission requirements, DHS-OIG will improve its office utilization rate from 143 usable square feet (USF) to 114 USF per person and its overall utilization rate from 256 USF to 211 USF per person. This will result in a 13,976 RSF space reduction in relation to its current occupancy of 123,976 RSF.

**Description**

Occupant:	DHS / OIG
Lease Type:	Replacement
Current RSF:	123,976 (Current RSF/USF = 1.12)
Proposed Maximum RSF <sup>1</sup> :	110,000 (Proposed RSF/USF = 1.2)
Expansion Space:	Reduction of 13,976 RSF
Current USF/Person:	256
Proposed USF/Person:	211
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Leases:	09/15/13, 01/21/14 and 03/31/14
Delineated Area:	Washington, DC Central Employment Area
Number of Official Parking Spaces:	None
Scoring:	Operating lease
Maximum Proposed Rental Rate:	\$50.00 per RSF
Proposed Total Annual Cost <sup>2</sup> :	\$5,500,000
Current Total Annual Cost <sup>3</sup> :	\$5,403,856 (lease effective dates 9/16/03, 1/22/98, and 4/1/04)

<sup>1</sup> The RSF/USF at the current location is approximately 1.12; however, to maximize competition, a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated on the housing plan.

<sup>2</sup> This estimate is for fiscal year 2014 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

<sup>3</sup> Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF HOMELAND SECURITY  
OFFICE OF THE INSPECTOR GENERAL  
WASHINGTON, DC**

Prospectus Number: PDC-02-WA13

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**Justification**

The current leases are expiring as noted above, and DHS OIG requires continued housing to carry out its mission. A replacement lease will provide the opportunity to improve the agency's utilization of space and reduce the overall rsf leased.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current leases from September 2013 to March 2014. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that the lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

**Summary of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

**Resolutions of Approval**

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

**Interim Leasing**

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy



GSA

PBS

**PROSPECTUS – LEASE  
DEPARTMENT OF HOMELAND SECURITY  
OFFICE OF THE INSPECTOR GENERAL  
WASHINGTON, DC**

Prospectus Number: PDC-02-WA13

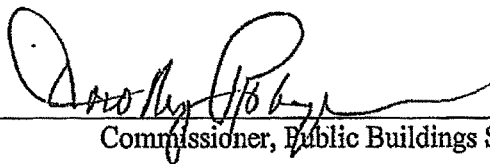
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**Certification of Need**

The proposed project is the best solution to meet a validated Government need.

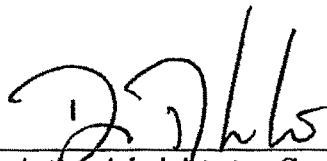
Submitted at Washington, DC, on November 21, 2012

Recommended: \_\_\_\_\_



Commissioner, Public Buildings Service

Approved: \_\_\_\_\_



Acting Administrator, General Services Administration

May 2012

Housing Plan  
DHS-OIGWashington, DC  
PDC-02-WA13

Location(s)	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1120 Vermont Avenue, NW	433	433	79,328	3,795	27,514	110,637						
Proposed Lease							433	433	63,250	-	28,204	91,454
<b>TOTALS</b>	<b>433</b>	<b>433</b>	<b>79,328</b>	<b>3,795</b>	<b>27,514</b>	<b>110,637</b>	<b>433</b>	<b>433</b>	<b>63,250</b>	<b>-</b>	<b>28,204</b>	<b>91,454</b>



Office Utilization Rate*		
	Current	Proposed
Rate	143	114

\* UR = average amount of office space per person  
 Current Office UR excludes 17,452 usf of office support space  
 Proposed Office UR excludes 13,915 usf of office support space

Overall Utilization Rate**		
	Current	Proposed
Rate	256	211

\*\*USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	110,637	1.12	123,976
Proposed	91,454	1.20	110,000

Special Space	
ADP	2,606
Conference / Training	7,983
Food Service / Break	1,594
Equipment Rooms	5,910
Library	800
Public Reception Areas	500
File Rooms	5,363
Supply / Distribution	2,468
SCIF	980
<b>Total</b>	<b>28,204</b>

Usable square footage means the portion of the building available for use by the tenant's personnel and furnishings and space available jointly to the occupants of the building (e.g. auditorium, health units, and snack bars).



**Committee on Transportation and Infrastructure**  
**U.S. House of Representatives**

**Bill Shuster**  
**Chairman**

**Washington, DC 20515**  
**COMMITTEE RESOLUTION**

**Nick J. Rahall, III**  
**Ranking Member**

Christopher P. Bertram, Staff Director

**LEASE**  
**DEPARTMENT OF JUSTICE**  
**WASHINGTON, DC**  
**PDC-01-WA13**

James H. Zoia, Democrat Staff Director

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 77,000 rentable square feet of space, including three parking spaces, for the Department of Justice Civil Division, currently located at 20 Massachusetts Avenue, NW, Washington, DC, at a proposed total annual cost of \$3,850,000 for a lease term of up to five years, a prospectus for which is attached to and included in this resolution.*

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided that*, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 323 square feet or less per person.

*Provided that*, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 323 square feet or higher per person.

*Provided that*, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.  
Chairman

GSA

PBS

**PROSPECTUS – LEASE  
DEPARTMENT OF JUSTICE  
WASHINGTON, DC**

Prospectus Number: PDC-01-WA13

**Executive Summary**

The General Services Administration (GSA) proposes a lease extension of up to 77,000 rentable square feet (rsf) for the Department of Justice (DOJ) Civil Division. DOJ is currently located at 20 Massachusetts Avenue, NW, Washington, DC under a lease that expires September 23, 2012.

DOJ requires continued housing at this location while undertaking a full scale re-evaluation of its current space allocation standards. This review will provide DOJ with a strategy to significantly improve their space utilization while reducing their office space requirement. Space realignment and utilization rate improvement is not cost-effective or feasible for the proposed short-term lease extension at the current location.

In addition, space realignment and utilization rate improvement would be highly disruptive to DOJ's continuing performance of its mission. This location houses DOJ's Civil Division, Federal Programs Branch. The Federal Programs Branch represents virtually the entire Executive Branch in sensitive and high-profile civil litigation matters. Some Federal Program Branch attorneys and paralegals must work in special space secured for the processing of large volumes of classified information. As some of this specialized litigation winds down, it is anticipated that 9,500 usable square foot of secure space will be released from the DOJ inventory at this location. The Federal Programs Branch must remain in the space at 20 Massachusetts Ave as currently configured. DOJ Civil Division Federal Programs will also accommodate all general growth within this footprint for the extension period.

**Description**

Occupant:	DOJ Civil Division
Lease Type:	Extension
Current Rentable Square Feet (RSF):	121,300 (Current RSF/USF = 1.15)
Proposed Maximum RSF:	77,000 (Proposed RSF/USF = 1.15)
Expansion Space RSF:	Reduction of 44,300
Current Usable Square Feet/Person:	344
Proposed Usable Square Feet/Person:	323
Proposed Maximum Leasing Authority:	5 years
Expiration Dates of Current Lease(s):	9/23/2012
Delineated Area:	20 Massachusetts Ave, NW, Washington, DC
Number of Official Parking Spaces:	3
Scoring:	Operating Lease

GSA

PBS

**PROSPECTUS – LEASE  
DEPARTMENT OF JUSTICE  
WASHINGTON, DC**

Prospectus Number: PDC-01-WA13

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Maximum Proposed Rental Rate <sup>1</sup> :	\$50.00
Proposed Total Annual Cost <sup>2</sup> :	\$3,850,000
Current Total Annual Cost:	\$6,186,334(lease effective 9/24/02)

**Justification**

The mission of the DOJ Civil Division is to litigate on behalf of the U.S. Government; attorneys constitute 90 percent of the staff. The current leases for DOJ at 20 Massachusetts Avenue, NW, in Washington, DC expired on September 23, 2012 and DOJ Civil Division requires continued housing to carry out its mission.

This prospectus seeks authority to house the continued need of the Civil Division of DOJ at 20 Massachusetts Ave. The U.S. Trustees Division, which currently occupies a portion of the space in 20 Massachusetts Avenue, NW, will be relocating to another federally owned property in January 2013.

**Summary of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

**Resolutions of Approval**

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

**Interim Leasing**

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

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<sup>1</sup> This estimate is for fiscal year 2013 and may be escalated by 1.7 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

<sup>2</sup> Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF JUSTICE  
WASHINGTON, DC**

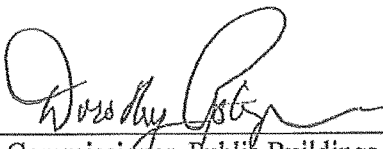
Prospectus Number: PDC-01-WA13

**Certification of Need**

The proposed project is the best solution to meet a validated Government need.

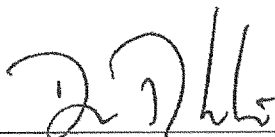
Submitted at Washington, DC, on November 21, 2012

Recommended:



Commissioner, Public Buildings Service

Approved:



Acting Administrator, General Services Administration

September 2012

# Housing Plan Department of Justice

PDC-01-WA13  
Washington, DC

Leased Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
20 Massachusetts Avenue												
Civil Division	207	207	51,416	3,877	11,614	66,907						
U.S. Trustees	100	100	26,921	3,421	8,229	38,571						
Proposed Lease (Civil Division)												
Total	307	307	78,337	7,298	19,843	105,478	207	207	51,416	3,877	11,614	66,907
							207	207	51,416	3,877	11,614	66,907

Office Utilization Rate (UR) *		
Current		
Rate	184	179

\* UR = average amount of office space per person  
Current UR excludes 21,949 usf of office support space  
Proposed UR excludes 14,337 usf of office support space

USF/Person **		
Current		
Rate	344	323

\*\* USF/Person = housing plan total USF divided by total personnel

Special Space (USF)	
Type	Proposed
IT	1,015
Conference	2,970
Copy	744
Kitchen/Break	895
Trial Prep	1,441
SCIF	430
Fitness Room	1,349
Supply/Mail	761
Library	2,009
Total	11,614

The 100 personnel in the U.S. Trustees office will be relocating to federally owned space under the custody and control of the Government Accountability Office in early 2013.

	Total USF	RSF/USF	Maximum RSF
Current	105,478	1.15	121,300
Proposed	66,907	1.15	77,000

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).



**Committee on Transportation and Infrastructure**  
**U.S. House of Representatives**

**Bill Shuster**  
**Chairman**

**Washington, DC 20515**  
**COMMITTEE RESOLUTION**

**Nick J. Rahall, III**  
**Ranking Member**

Christopher P. Bertram, Staff Director

**LEASE**  
**DEPARTMENT OF VETERANS AFFAIRS**  
**1800 G STREET, NW**  
**WASHINGTON, DC**  
**PDC-08-WA13**

James H. Zoia, Democrat Staff Director

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 170,868 rentable square feet of space, including one parking space, for the Department of Veterans Affairs, Veterans Benefits Administration and Office of Information Technology, currently located at 1800 G Street, NW, Washington, DC, at a proposed total annual cost of \$8,543,400 for a lease term of up to five years, a prospectus for which is attached to and included in this resolution.*

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided that*, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 135 square feet or less per person.

*Provided that*, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 135 square feet or higher per person.

*Provided that*, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.  
Chairman



GSA

PBS

**PROSPECTUS – LEASE  
DEPARTMENT OF VETERANS AFFAIRS  
1800 G STREET, NW  
WASHINGTON, DC**

Prospectus Number: PDC-08-WA13

**Executive Summary**

The General Services Administration (GSA) proposes a lease extension of up to 170,868 rentable square feet (RSF) of space for Department of Veterans Affairs (VA), Veterans Benefits Administration (VBA) and Office of Information Technology (OIT) currently located at 1800 G Street NW, Washington, DC. Currently, VA has two leases expiring on April 30, 2014, and GSA is seeking a five-year lease extension to meet VA's space needs until their planned move to the federally owned Lafayette Building, currently undergoing modernization.

**Description**

Occupants:	VA (VBA and OIT)
Lease Type:	Lease Extension
Current Rentable Square Feet:	170,868 RSF (Current RSF/USF = 1.2)
Proposed Maximum RSF:	170,868 RSF (Market RSF/USF = 1.2)
Expansion Space:	None
Current Usable Square Feet/Person:	135
Proposed Usable Square Feet/Person:	135
Proposed Maximum Leasing Authority:	5 years
Expiration Date of Current Leases:	April 30, 2014
Delineated Area:	1800 G Street, NW, Washington, DC
Number of Official Parking Spaces:	1
Scoring:	Operating lease
Maximum Proposed Rental Rate <sup>1</sup> :	\$50.00
Proposed Total Annual Cost <sup>2</sup> :	\$8,543,400
Current Total Annual Cost:	\$6,233,879 (leases effective May 1, 1994)

**Background**

VA operates the nation's largest integrated health care system with more than 1,400 sites of care, including hospitals, community clinics, community living centers, domiciliary, readjustment counseling centers, and various other facilities. In addition, VA provides a variety of benefits

<sup>1</sup> This estimate is for fiscal year 2014 to and may be escalated by 1.7 percent annually to the effective date of the lease to account for inflation.

<sup>2</sup> Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF VETERANS AFFAIRS  
1800 G STREET, NW  
WASHINGTON, DC**

Prospectus Number: PDC-08-WA13

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including education and training, life insurance, dependent and survivor benefits, vocational rehabilitation, and burial services.

**Justification**

VA has asked to extend its current leasehold tenancy at 1800 G Street NW for five years to be positioned to move to the Lafayette Building for its longer term space requirements. The multi-phase Lafayette modernization is currently underway. VA still has a need for space to complete its mission; however, GSA and VA currently plan to consolidate all VA leases currently at 1800 G Street NW into Lafayette as part of the housing strategy for the building's renovation project.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current leases on April 30, 2014. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

**Resolutions of Approval**

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

**Interim Leasing**

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

GSA

PBS

**PROSPECTUS — LEASE  
DEPARTMENT OF VETERANS AFFAIRS  
1800 G STREET, NW  
WASHINGTON, DC**

Prospectus Number: PDC-08-WA13

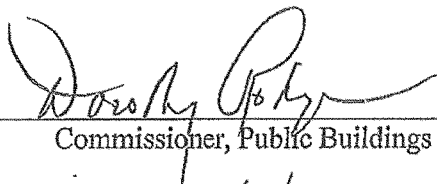
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**Certification of Need**


The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: \_\_\_\_\_

  
Commissioner, Public Buildings Service

Approved: \_\_\_\_\_

  
Acting Administrator, General Services Administration

October 2011

# Housing Plan Department of Veterans Affairs

PDC-08-WA13  
Washington, DC

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total *	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1800 G Street NW	870	1,058	108,854	1,326	32,210	142,390	870	1,058	108,854	1,326	32,210	142,390
Total	870	1,058	108,854	1,326	32,210	142,390	870	1,058	108,854	1,326	32,210	142,390

Office Utilization Rate (UR) *		
	Current	Proposed
Rate	98	98

\*\* UR = average amount of office space per person  
 Current UR excludes 23,948 USF of Office for support space  
 Proposed UR excludes 23,948 USF of office for support space

USF/Person **		
	Current	Proposed
Rate	135	135

\*\*\* USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	142,390	1.2	170,868
Proposed	142,390	1.2	170,868

Special Space	USF
Reception	2,200
Conference	15,200
Copy/Supply	1,660
Computer Room	2,681
Health Unit	2,766
Training	1,447
Operations War Room	4,917
Kitchen	408
File Room	674
Credit Union	257
Total	32,210

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

\* Delta between Office and Total Personnel represents "surge" contractors who do not come into the office full time and are associated with funded T21 (Transformational Issues for the 21st century) initiatives.



**Committee on Transportation and Infrastructure**  
**U.S. House of Representatives**

**Bill Shuster**  
**Chairman**

**Washington, DC 20515**  
**COMMITTEE RESOLUTION**

**Nick J. Rahall, Jr.**  
**Ranking Member**

Christopher P. Bertram, Staff Director

**LEASE**  
**DEPARTMENT OF HOMELAND SECURITY**  
**U.S. CUSTOMS AND BORDER PATROL**  
**QUEENS, NY**  
**PNY-02-QU13**

James H. Zoia, Democrat Staff Director

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 146,000 rentable square feet of space, including 217 parking spaces, for the Department of Homeland Security U.S. Customs and Border Protection, currently located at JFK Airport, Building 77, Queens, NY, at a proposed total annual cost of \$6,716,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.*

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided that*, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 200 square feet or less per person.

*Provided that*, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 200 square feet or higher per person.

*Provided that*, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.  
Chairman

GSAPBS

**PROSPECTUS - LEASE**  
**DEPARTMENT OF HOMELAND SECURITY**  
**U.S. CUSTOMS AND BORDER PROTECTION**  
**QUEENS, NY**

Prospectus Number: PNY-02-QUI3  
Congressional District: 06

**Executive Summary**

The General Services Administration (GSA) proposes a replacement lease of up to 146,000 rentable square feet (RSF) for the Department of Homeland Security (DHS) U.S. Customs and Border Protection (CBP) in support of their operations at JFK Airport. DHS-CBP's current leased location, Building 77, has been occupied since June, 1992. The lease expired on June 18, 2012.

This proposed replacement lease will provide DHS-CBP with the opportunity to improve space utilization efficiency while accommodating 98 additional personnel in field operations, internal affairs, and the regulatory office.

**Description**

Occupant:	DHS – CBP
Lease Type:	Replacement
Current Rentable Square Feet (RSF):	146,000 (Current RSF/USF=1.15)
Proposed Maximum RSF:	146,000 (Proposed RSF/USF=1.15)
Expansion Space:	None
Current Usable Square Feet/Person:	236
Proposed Usable Square Feet/Person:	200
Proposed Maximum Leasing Authority:	15 years
Expiration Date of Current Lease:	6/18/12
Proposed Delineated Area:	North: Intersection of Lefferts Blvd. and S. Conduit Rd. heading east to Rockaway Blvd. then heading east to Brookville Blvd; West: Lefferts Blvd; East: Head of Bay; South: Jamaica Bay
Number of Official Parking Spaces:	217
Scoring:	Operating Lease
Maximum Proposed Rental Rate <sup>1</sup> :	\$46.00 per rsf
Proposed Total Annual Cost <sup>2</sup> :	\$6,716,000
Current Total Annual Cost:	\$8,500,685(lease effective 6/19/92)

<sup>1</sup> This estimate is for fiscal year 2014 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced, including all operating expenses, whether paid by the lessor or directly by the Government.

<sup>2</sup> Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs. Parking is included in the proposed rent.

GSAPBS

**PROSPECTUS - LEASE  
DEPARTMENT OF HOMELAND SECURITY  
U.S. CUSTOMS AND BORDER PROTECTION  
QUEENS, NY**

Prospectus Number: PNY-02-QU13  
Congressional District: 06

**Background**

DHS-CBP currently occupies approximately 146,000 rsf of space in Building 77 at JFK Airport, Queens, NY. The DHS-CBP operation at JFK Airport monitors half the cargo imported into the United States as well as 10.2 million passengers a year. JFK Airport consists of six passenger processing facilities, a mail facility, 39 airline warehouses, 82 container stations, 15 bonded warehouses and 2 Foreign Trade Zones located on or around the airport. The current lease at Building 77 expired on 6/18/2012. GSA will execute an interim leasing action necessary to ensure continued housing until the effective date of the new lease.

**Justification**

A location on or near the JFK Airport property is essential to CBP's mission of servicing the broker community in a timely manner on the airport premises. Close access to the airport tarmac is essential to the agency's law enforcement mission.

CBP will improve its utilization of space, resulting in the improvement of its office utilization rate from 134 usable square feet (USF) to 113 USF per person and its overall utilization rate from 236 USF to 200 USF per person. The end product of improved space utilization is the prospectus proposal to house an additional 98 personnel in the same amount of space as the current occupancy.

**Summary of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rate of 75 or higher.

**Resolutions of Approval**

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

GSAPBS

**PROSPECTUS - LEASE**  
**DEPARTMENT OF HOMELAND SECURITY**  
**U.S. CUSTOMS AND BORDER PROTECTION**  
**QUEENS, NY**

Prospectus Number: PNY-02-QU13  
Congressional District: 06

**Interim Leasing**

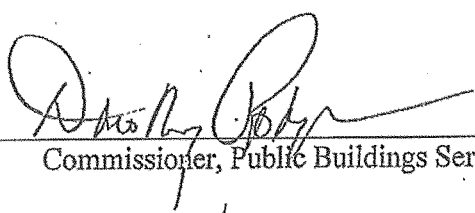
GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency until the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

**Certification of Need**

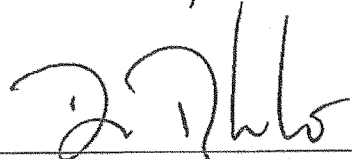
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: \_\_\_\_\_

  
Commissioner, Public Buildings Service

Approved: \_\_\_\_\_

  
Acting Administrator, General Services Administration



May 2012

**Housing Plan**  
**Department of Homeland Security**  
**U.S. Customs and Border Protection**

Queens, NY  
 PNY-02-QU13

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
JFK Airport Building 77	537	537	92,376	3,272	31,233	126,881						
Replacement Lease							635	635	92,376	3,272	31,233	126,881
<b>Total:</b>	<b>537</b>	<b>537</b>	<b>92,376</b>	<b>3,272</b>	<b>31,233</b>	<b>126,881</b>	<b>635</b>	<b>635</b>	<b>92,376</b>	<b>3,272</b>	<b>31,233</b>	<b>126,881</b>

Office Utilization Rate*		
	Current	Proposed
Rate	134	113

\*UR=average amount of office space per person.  
 Current UR excludes 20,323 of usf office support space  
 Proposed UR excludes 20,323 of usf office support space

USF/Person **		
	Current	Proposed
Rate	236	200

\*\*USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	126,881	1.15	146,000
Proposed	126,881	1.15	146,000

Special Space	
Conference Rooms	4,802
Training Rooms	1,830
Fitness Center	3,000
Locker Rooms	2,000
Kitchenettes	2,500
ADP	1,840
Evidence Rooms	1,425
Holding Cells	225
Interview Rooms	1,100
Securing Processing	2,608
Private Toilets	145
Kennel Support	2,758
Firing Range	7,000
<b>Total:</b>	<b>31,233</b>

Usable square footage means the portion of the building available for use by tenants' personnel, furnishings and space. available jointly to the occupants of the building. Usable square footage does not include space devoted to building operations and maintenance (i.e. restroom, lobbies, building supply rooms).



**Committee on Transportation and Infrastructure**  
**U.S. House of Representatives**

**Bill Shuster**  
**Chairman**

**Washington, DC 20515**  
**COMMITTEE RESOLUTION**

**Nick J. Rahall, III**  
**Ranking Member**

Christopher P. Bertram, Staff Director

**LEASE**  
**DEPARTMENT OF DEFENSE**  
**ZACHARY TAYLOR BUILDING**  
**NORTHERN VIRGINIA**  
**PVA-04-WA13**

James H. Zoia, Democrat Staff Director

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 585,000 rentable square feet of space, including 10 parking spaces, for the Department of Defense, currently located at 2530 Crystal Drive, Arlington, Virginia, at a proposed total annual cost of \$22,815,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.*

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided that,* the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 163 square feet or less per person.

*Provided that,* except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 163 square feet or higher per person.

*Provided that,* to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

*Provided further,* that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further,* that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.  
Chairman

GSA

PBS

**PROSPECTUS – LEASE  
DEPARTMENT OF DEFENSE  
ZACHARY TAYLOR BUILDING  
NORTHERN VIRGINIA**

Prospectus Number: PVA-04-WA13

Congressional District: 8,10,11

**Executive Summary**

The General Services Administration (GSA) proposes a replacement lease of up to 585,000 rentable square feet (RSF) for the Department of Defense (DOD), currently located at the Zachary Taylor Building, 2530 Crystal Drive, Arlington, Virginia. DOD has a continuing, long-term need for space to meet its mission requirements in Northern Virginia. It will continue to maintain a highly efficient office space utilization rate of 108 and an overall space utilization of 163 usable square feet per person.

**Acquisition Strategy**

In order to maximize the flexibility in acquiring space to house the DOD, GSA may issue a single, multiple award solicitation that will allow offerors to provide blocks of space able to meet the requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus in the description that follows.

**Description**

Occupant:	Department of Defense
Lease Type	Replacement
Current Rentable Square Feet (RSF)	549,317 (Current RSF/USF = 1.13)
Proposed Maximum RSF <sup>1</sup> :	585,000 (Market RSF/USF = 1.2)
Expansion Space RSF:	None
Current Usable Square Feet/Person:	163
Proposed Usable Square Feet/Person:	163
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Leases:	4/30/13, 12/9/14
Delineated Area:	Northern Virginia
Number of Official Parking Spaces <sup>2</sup> :	10
Scoring:	Operating Lease

<sup>1</sup> The RSF/USF at the current location is approximately 1.13. The proposed maximum RSF does not represent expansion space but the amount needed to provide 487,019 USF as indicated on the housing plan in buildings having an RSF/USF as high as 1.20 in order to maximize competition.

<sup>2</sup> DOD security requirements may necessitate control of the parking at the leased location. This may be accomplished as a lessor-furnished service, under an operating agreement with the lessor, or as part of the Government's leasehold interest in the building(s).

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF DEFENSE  
ZACHARY TAYLOR BUILDING  
NORTHERN VIRGINIA**

Prospectus Number: PVA-04-WA13  
Congressional District: 8,10,11

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Maximum Proposed Rental Rate <sup>3</sup> :	\$39.00
Proposed Total Annual Cost <sup>4</sup> :	\$22,815,000
Current Total Annual Cost:	\$20,020,180 (leases effective 5/1/03 and 12/1004)

**Justification**

The leases at 2530 Crystal Drive, Arlington, VA expire on April 30, 2013 (524,867 RSF) and December 9, 2014 (24,450 RSF), and DOD requires continued housing to carry out its mission.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current leases on April 30, 2013 and December 9, 2014. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

**Summary of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

**Resolutions of Approval**

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

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<sup>3</sup> This estimate is for fiscal year 2013 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

<sup>4</sup> Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS — LEASE  
DEPARTMENT OF DEFENSE  
ZACHARY TAYLOR BUILDING  
NORTHERN VIRGINIA**

Prospectus Number: PVA-04-WA13  
Congressional District: 8,10,11

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**Interim Leasing**

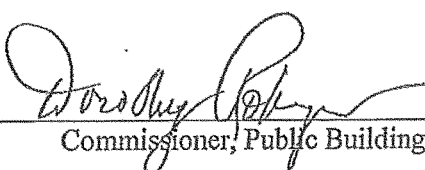
GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

**Certification of Need**


The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: \_\_\_\_\_

  
Commissioner, Public Buildings Service

Approved: \_\_\_\_\_

  
Acting Administrator, General Services Administration

November 2011

# Housing Plan Department of Defense

PVA-04-WA13  
Northern VA

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Zachary Taylor Building	2,997	2,997	415,934		71,085	487,019						
Proposed Lease							2,997	2,997	415,934		71,085	487,019
Total	2,997	2,997	415,934		71,085	487,019	2,997	2,997	415,934		71,085	487,019

Office Utilization Rate (UR) *		
	Current	Proposed
Rate	108	108

\* UR = average amount of office space per person

Current UR excludes 91,505 USF of Office for support space

Proposed UR excludes 91,505 USF of office for support space

USF/Person **		
	Current	Proposed
Rate	163	163

\*\* USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	487,019	1.13	549,317
Proposed	487,019	1.20	585,000

Special Space	USF
Conference	35,357
Spec Workrooms	3,059
File Room	350
Break Rooms	2,500
Fitness Rooms	7,300
Library	2,200
Training	2,454
SCIFs	3,885
Hearing/Board Rm	3,230
Labs	10,750
Total	71,085

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).



**Committee on Transportation and Infrastructure**  
**U.S. House of Representatives**

**Bill Shuster**  
**Chairman**

**Washington, DC 20515**  
**COMMITTEE RESOLUTION**

**Nick J. Rahall, III**  
**Ranking Member**

Christopher P. Bertram, Staff Director

**LEASE**  
**DEPARTMENT OF DEFENSE**  
**HOFFMAN II**  
**NORTHERN VIRGINIA**  
**PVA-06-WA13**

James H. Zoia, Democrat Staff Director

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 448,000 rentable square feet of space, including 11 parking spaces, for the Department of Defense, Department of the Army, currently located at 200 Stovall Street, Alexandria, Virginia, at a proposed total annual cost of \$17,472,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.*

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided that*, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 176 square feet or less per person.

*Provided that*, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 176 square feet or higher per person.

*Provided that*, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: **February 28, 2013**

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.  
Chairman

GSA

PBS

**PROSPECTUS – LEASE  
DEPARTMENT OF DEFENSE  
HOFFMAN II  
NORTHERN VIRGINIA**

Prospectus Number: PVA-06-WA13

Congressional District: 8,10,11

**Executive Summary**

The General Services Administration (GSA) proposes a replacement lease of up to 448,000 rentable square feet (RSF) of space for the Department of Defense (DoD) Department of the Army, located at Hoffman II, 200 Stovall St, Alexandria, VA. The two leases for DoD, effective in 2000 and 2004 expire April 19, 2014.

DoD will improve its utilization of space, resulting in the improvement of its office utilization rate from 178 usable square feet (USF) to 111 USF per person and its overall utilization rate from 261 USF to 176 USF per person. As a result, this prospectus proposes to house DoD personnel in approximately 158,000 RSF less space than their current occupancy of 606,575 RSF.

**Description**

Occupants:	DoD
Lease Type:	Replacement
Current RSF:	606,575 (Current RSF/USF = 1.09)
Proposed Maximum (RSF):	448,000 (Proposed RSF/USF = 1.20)
Expansion Space: <sup>1</sup>	Reduction of 158,575 RSF
Current USF/Person:	261
Proposed USF/Person:	176
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Leases	4/19/14
Delineated Area:	Northern Virginia
Number of Official Parking Spaces <sup>2</sup> :	11
Scoring:	Operating lease
Maximum Proposed Rental Rate <sup>3</sup> :	\$39.00
Proposed Total Annual Cost <sup>4</sup> :	\$17,472,000

<sup>1</sup> The RSF/USF at the current location is approximately 1.09, however to maximize competition a RSF/USF ratio of 1.2 is used for the proposed maximum RSF as indicated in the housing plan.

<sup>2</sup> The Department of Defense security requirements may necessitate control of the parking at the leased location. This may be accomplished as a lessor-furnished service, as a separate operating agreement with the lessor, or as part of the Government's leasehold interest in the building.

<sup>3</sup> This estimate is for fiscal year 2014 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

<sup>4</sup> Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.



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**PROSPECTUS – LEASE  
DEPARTMENT OF DEFENSE  
HOFFMAN II  
NORTHERN VIRGINIA**

Prospectus Number: PVA-06-WA13

Congressional District: 8,10,11

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Current Total Annual Cost:	\$17,660,326 (leases effective 3/3/00 and 4/20/04)
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**Justification**

The current leases at Hoffman II, 200 Stovall St in Alexandria, VA, expire on April 19, 2014, and DoD requires continued housing to carry out its mission. The proposed replacement lease(s) will significantly improve the utilization of space to house this DoD requirement.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current leases on April 19, 2014. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

**Acquisition Strategy**

In order to maximize the flexibility in acquiring space to house the DoD, GSA may issue a single, multiple award solicitation that will allow offerors to provide blocks of space able to meet the requirements in whole or in part. All offers must provide space consistent with the delineated area defined by this prospectus in the description that follows.

**Summary of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

**Resolutions of Approval**

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

GSAPBS

PROSPECTUS – LEASE  
DEPARTMENT OF DEFENSE  
HOFFMAN II  
NORTHERN VIRGINIA

Prospectus Number: PVA-06-WA13  
Congressional District: 8,10,11

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Interim Leasing

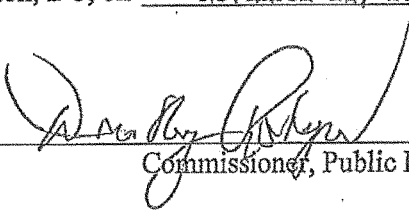
GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

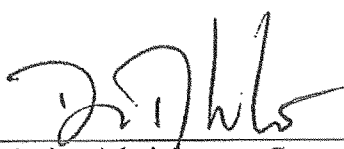
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: \_\_\_\_\_

  
Commissioner, Public Buildings Service

Approved: \_\_\_\_\_

  
Acting Administrator, General Services Administration

April 2012

**Housing Plan  
Department of Defense**

**Northern Virginia  
PVA-06-WA13**

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Hoffman II Building	2,124	2,124	484,513		70,481	554,994						
Proposed Lease												
Total	2,124	2,124	484,513	-	70,481	554,994	2,124	2,124	303,217		70,481	373,698
							2,124	2,124	303,217	-	70,481	373,698

Office Utilization Rate (UR) *		
	Current	Proposed
Utilization		
Rate	178	111

\* UR = average amount of office space per person

Current UR excludes 106,593 USF of Office for support space

Proposed UR excludes 66,708 USF of office for support space

USF/Person **		
	Current	Proposed
Rate	261	176

\*\* USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	554,994	1.09	606,575
Proposed	373,698	1.2	448,000

Special Space	USF
Library	39,974
LAN/Telecom/Servers	2,836
Conference/Training	21,684
Lab/Test Lab/Demo Rms	1,617
Controlled Storage	2,206
Interview Rooms	200
Audit Support	157
Grand Jury/Secured Room	720
Training/Work Area	590
Equipment & Processing Area	345
Concession	152
Total	70,481

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building. Usable square footage does not include space devoted to building operations and maintenance

**Committee on Transportation and Infrastructure****U.S. House of Representatives**

**Bill Shuster**  
**Chairman**

**Washington, DC 20515**  
**COMMITTEE RESOLUTION**

**Nick J. Rahall, Jr.**  
**Ranking Member**

Christopher P. Bertram, Staff Director

James H. Zoia, Democrat Staff Director

**LEASE**  
**DEPARTMENT OF HOMELAND SECURITY**  
**U.S. CUSTOMS AND BORDER PROTECTION**  
**NATIONAL TARGETING CENTERS**  
**NORTHERN VIRGINIA**  
**PVA-07-WA13**

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a consolidation and expansion lease of up to 169,000 rentable square feet of space, including 33 parking spaces, for the Department of Homeland Security, U.S. Customs and Border Protection, National Targeting Centers, currently located at 12825 Worldgate Plaza, Reston, Virginia and 12379 Sunrise Valley Drive, Herndon, Virginia, at a proposed total annual cost of \$6,591,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.*

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided that*, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 207 square feet or less per person as detailed in the prospectus.

*Provided that*, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 207 square feet or higher per person as detailed in the prospectus.

*Provided that*, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.  
Chairman

GSA

PBS

**PROSPECTUS – LEASE  
DEPARTMENT OF HOMELAND SECURITY  
U.S. CUSTOMS AND BORDER PROTECTION  
NATIONAL TARGETING CENTERS  
NORTHERN VIRGINIA**

Prospectus Number: PVA-07-WA13

Congressional Districts: 8, 10, 11

**Executive Summary**

The General Services Administration (GSA) proposes a consolidation and expansion lease of 169,000 rentable square feet (RSF) for the U.S. Customs and Border Protection (CBP), National Targeting Centers (NTC) currently housed at 12825 Worldgate Plaza, Reston, VA and 12379 Sunrise Valley Drive, Herndon, VA. The new lease will provide a facility that accommodates NTC's programmatic and personnel growth and functionally integrates NTC's two operational units – NTC Passenger and NTC Cargo.

**Description**

Occupant:	DHS / CBP / NTC
Lease Type:	Consolidation
Current RSF	90,574 (Current RSF/USF=1.11)
Proposed Maximum RSF	169,000 (Proposed RSF/USF=1.2)
Expansion Space: <sup>1</sup>	78,426 RSF
Current USF/ Person:	166
Proposed USF/ Person:	207
Proposed Maximum Leasing Authority:	15 years
Expiration Dates of Current Leases:	4/9/13 and 3/11/17
Delineated Area:	Northern Virginia / Dulles Corridor, (Rte 7 to the North / Rte 267 to the East / Rte 50 to the south / Rte 28 to the West)
Number of Official Parking Spaces: <sup>2</sup>	33
Scoring:	Operating lease
Maximum Proposed Rental Rate: <sup>3</sup>	\$39.00
Proposed Total Annual Cost: <sup>4</sup>	\$6,591,000
Current Total Annual Cost:	\$2,683,842 (leases effective 12/26/02 and 3/12/07)

<sup>1</sup> Expansion space is required to accommodate additional seats and special space detailed in the housing plan.

<sup>2</sup> Security requirements may necessitate control of available parking at the location leased. This may be accomplished as a lessor-furnished service, as a separate operating agreement with the lessor, or as part of the Government's leasehold interest in the building.

<sup>3</sup> This estimate is for fiscal year 2016 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation.

<sup>4</sup> Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

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**PROSPECTUS – LEASE  
DEPARTMENT OF HOMELAND SECURITY  
U.S. CUSTOMS AND BORDER PROTECTION  
NATIONAL TARGETING CENTERS  
NORTHERN VIRGINIA**

Prospectus Number: PVA-07-WA13  
Congressional Districts: 8, 10, 11

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**Background**

NTC is currently housed in two locations along the Dulles Corridor of Northern Virginia. NTC's mission is to screen inbound and outbound airline passengers and shipping cargo to protect the United States from terrorist threats.

NTC-Passenger unit (NTC-P) was established in November 2001 and has been in its current Reston location since 2003. Its primary function is to support CBP's priority mission to prevent terrorists and terrorist weapons from entering or exiting the United States, while simultaneously facilitating legitimate trade and travel. Working relationships include the Coast Guard, U.S. Immigration and Customs Enforcement (ICE), Transportation Security Administration (TSA) including the Federal Air Marshal Service, Federal Bureau of Investigation, the Department of State, and international organizations such as Interpol, the Canadian National Risk Assessment Centre, and the Joint Border Operations Centre – United Kingdom.

NTC-Cargo unit (NTC-C) was created to target high risk cargo shipments that may pose a threat to the internal security of the United States. Its primary function is similar to NTC-P in support of CBP's mission. The unit partners internationally with customs units in other countries around the world as well as many other federal agencies such as the TSA, the Food and Drug Administration and ICE.

The NTC operational mission supports the White House initiative on Travel and Tourism in its work with Visa Application vetting. The NTC consolidation also supports the White House initiative on Global Supply Chain Security to promote the efficient and secure movement of goods, protecting the supply chain from exploitation and reducing its vulnerabilities to disruption.

**Justification**

This proposed lease action will house the expanded and consolidated NTC consisting of NTC-P and NTC-C. It will accommodate NTC's expected personnel growth as a result of programmatic expansion and growth in special space that is required for the increased programs.

The consolidation of these two units into a single location is intended to provide greater efficiencies for each group and provide additional space to accommodate programmatic growth. The special space currently occupied by the centers is insufficient for NTC to effectively fulfill its mission. NTC-C does not currently have immediate access to certain types of space located

GSA

PBS

**PROSPECTUS – LEASE  
DEPARTMENT OF HOMELAND SECURITY  
U.S. CUSTOMS AND BORDER PROTECTION  
NATIONAL TARGETING CENTERS  
NORTHERN VIRGINIA**

Prospectus Number: PVA-07-WA13  
Congressional Districts: 8, 10, 11

within NTC-P; this inhibits the sharing of data between the two organizations. Also, the NTC-P has grown from its initial complement of 20 personnel in 2001 to the current level of 307; NTC-C has also grown from approximately 40 personnel in 2007 when it was established to the current level of 407. From FY2011 through FY2013, both units of the NTC are expected to grow to a total of 1,132 employees, 680 of whom will be on shift work at any given time as noted in the Housing Plan. The additional personnel require increased special space for certain operations, security areas, fitness center and locker rooms for law enforcement personnel, and LAN (Local Area Network) rooms for both classified and unclassified material. All of these are in direct support of the time sensitive nature of operations at the NTC. Both units have been given increasingly greater responsibility during the past two years in response to incidents such as the Northwest Airlines passenger with explosive materials in his clothing in December 2009, the attempted bombing of Times Square in May 2010, and the explosives shipped in printer cartridges in October 2010, but thwarted in the United Kingdom and the UAE due to international partnerships established by the NTC.

Housing NTC-P and NTC-C in separate facilities increases the risk that a passenger or cargo related terrorist threat will not be discovered in time enough to protect our national security. Interdicting terrorist travelers or cargo requires time sensitive operations. A passenger threat often leads to a cargo threat that must immediately be evaluated. Consolidating NTC-P and NTC-C will enable NTC to more quickly pursue potential links between passenger and cargo cases. In its current state NTC-C has to travel to NTC-P when it needs to use certain space not currently available to it. For emergent events minutes can be critical.

The proposed Dulles Corridor delineated area allows the NTC to remain in proximity to other intelligence and targeting groups of the Federal government and maintain proximity to telecommunications trunk lines in the Dulles Corridor, and Dulles Airport.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date of the proposed new lease. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF HOMELAND SECURITY  
U.S. CUSTOMS AND BORDER PROTECTION  
NATIONAL TARGETING CENTERS  
NORTHERN VIRGINIA**

Prospectus Number: PVA-07-WA13  
Congressional Districts: 8, 10, 11

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**Summary of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Request for Lease Proposals and other documents related to the procurement of space based on the approved prospectus. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

**Resolutions of Approval**

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

**Interim Leasing**

GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.



GSAPBS

PROSPECTUS – LEASE  
DEPARTMENT OF HOMELAND SECURITY  
U.S. CUSTOMS AND BORDER PROTECTION  
NATIONAL TARGETING CENTERS  
NORTHERN VIRGINIA

Prospectus Number: PVA-07-WA13  
Congressional Districts: 8, 10, 11

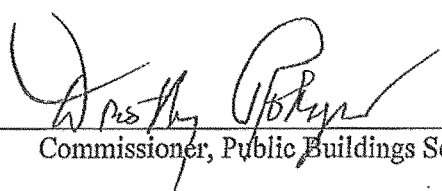
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Certification of Need

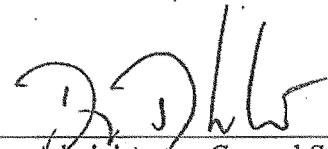
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: \_\_\_\_\_

  
Commissioner, Public Buildings Service

Approved: \_\_\_\_\_

  
Acting Administrator, General Services Administration

March 2012

**Housing Plan  
Department of Homeland Security  
Customs and Border Protection  
National Targeting Centers**

PVA-07-WA13  
Northern VA

Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
12379 Sunrise Valley Drive, Reston, VA	307	307	14,244	5,179	8,914	28,337						
12825 Worldgate Plaza, Herndon, VA	407	407	34,847	0	18,187	53,034						
Proposed Lease							1,132	1,132	66,597	7,550	66,903	141,050
<b>TOTAL:</b>	<b>714</b>	<b>714</b>	<b>49,091</b>	<b>5,179</b>	<b>27,101</b>	<b>81,371</b>	<b>1,132</b>	<b>1,132</b>	<b>66,597</b>	<b>7,550</b>	<b>66,903</b>	<b>141,050</b>

Note: Current total employees housed in the separate NTC locations are 714 working on rotating shifts with a maximum of 490 per shift.

Proposed total employees housed in the consolidated NTC are 1,132 working on rotating shifts with a maximum of 680 per shift.

Office Utilization Rate (UR)* Maximum Shift		
	Current	Proposed
Employees	490	680
Rate	78	76

\*UR = average amount of office space per person  
Current UR excludes 10,800 usf of office support  
Proposed UR excludes 14,651 usf of office support

USF/Person**		
	Current	Proposed
Employees	490	680
Rate	166	207

\*\*USF/Person=housing plan total USF divided by total personnel  
Proposed UR excludes 14,651 usf of office support

	Total USF	RSF/USF	Maximum RSF
Current	81,371	1.11	90,574
Proposed	141,050	1.20	169,000

Special Space	USF
Conference/Training	18,676
Kitchenette/Break	3,804
Fitness Center	2,059
Locker Rooms	2,059
Bunk Room	515
LAN Rooms/Closets	4,404
Health / Lactation	172
File Rooms	8,065
Mail Processing	7,379
Watchroom / HSDN*	15,823
Security	2,231
COMSEC Room**	1,716
<b>Total:</b>	<b>66,903</b>

\*HSDN is Homeland Secure Data Network

\*\*COMSEC is Communications Security

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building  
Usable square footage does not include space devoted to building operations and maintenance



**Committee on Transportation and Infrastructure  
U.S. House of Representatives**

**Bill Shuster**  
Chairman

Washington, DC 20515  
**COMMITTEE RESOLUTION**

**Nick J. Rahall, III**  
Ranking Member

Christopher P. Bertram, Staff Director

James H. Zoia, Democrat Staff Director

**LEASE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
AGENCY FOR HEALTHCARE RESEARCH AND QUALITY  
SUBURBAN MARYLAND  
PMD-04-WA13**

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 133,895 rentable square feet of space, including seven parking spaces, for the Department of Health and Human Services, Agency for Healthcare Research and Quality, currently located at 540 Gaither Road, Rockville, Maryland, at a proposed total annual cost of \$4,686,325 for a lease term of up to five years, a prospectus for which is attached to and included in this resolution.*

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided that*, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 268 square feet or less per person.

*Provided that*, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 268 square feet or higher per person.

*Provided that*, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.  
Chairman

GSA

PBS

**PROSPECTUS – LEASE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
AGENCY FOR HEALTHCARE RESEARCH AND QUALITY  
SUBURBAN MARYLAND**

Prospectus Number: PMD-04-WA13  
Congressional District: 8

**Executive Summary**

The General Services Administration (GSA) proposes a lease extension for 133,895 rentable square feet of space the Department of Health and Human Services (HHS), Agency for Healthcare Research and Quality (AHRQ). AHRQ is currently located at 540 Gaither Road, Rockville, Maryland, under a lease that expires March 22, 2013. AHRQ is planning to move to the Parklawn Building, located at 5600 Fishers Lane, Rockville, MD, which is scheduled to be ready for occupancy between August 2015 and 2017. AHRQ is scheduled to move to the Parklawn Building between January and March 2017. GSA is seeking a five-year lease extension to allow AHRQ to remain in place prior to the move and to provide flexibility in the event of schedule delays at Parklawn. GSA will attempt to negotiate termination rights into the lease agreement to accommodate the long term housing solution at the Parklawn Building.

The proposed space utilization rate at 540 Gaither Road is higher than the HHS overall space utilization standard of 170 USF/person. Space realignment and utilization rate improvement is not cost-effective or feasible for the proposed short-term lease extension at the current location. It would also be highly disruptive to AHRQ's continuing performance of its mission. However, the agency's planned occupancy of the Parklawn Building will be fully consistent with the applicable HHS space utilization standard.

**Description**

Occupant:	HHS-AHRQ
Lease Type:	Extension
Current Rentable Square Feet (RSF):	133,895 (Current RSF/USF = 1.07)
Proposed Maximum RSF:	133,895 (Proposed RSF/USF = 1.07)
Expansion Space RSF:	None
Current Usable Square Feet/Person:	278
Proposed Usable Square Feet/Person:	268
Proposed Maximum Leasing Authority:	5 years
Expiration Date(s) of Current Lease(s):	3/22/13
Delineated Area:	540 Gaither Road, Rockville, MD
Number of Official Parking Spaces:	7
Scoring:	Operating lease

GSAPBS

**PROSPECTUS – LEASE**  
**DEPARTMENT OF HEALTH AND HUMAN SERVICES**  
**AGENCY FOR HEALTHCARE RESEARCH AND QUALITY**  
**SUBURBAN MARYLAND**

Prospectus Number: PMD-04-WA13

Congressional District: 8

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Maximum Proposed Rental Rate <sup>1</sup> :	\$35.00
Proposed Total Annual Cost <sup>2</sup> :	\$4,686,325
Current Total Annual Cost:	\$3,762,143 (Lease effective 3/23/2003)

**Background**

AHRQ's mission is to improve the quality, safety, efficiency, and effectiveness of health care for all Americans. As one of 12 agencies within the Department of Health and Human Services, AHRQ supports research that helps people make more informed decisions and improves the quality of health care services. AHRQ was formerly known as the Agency for Health Care Policy and Research.

**Justification**

The current AHRQ lease at 540 Gaither Road, Rockville, Maryland expires on March 22, 2013. AHRQ plans to move to the Parklawn Building which is currently under renovation. AHRQ will require continued housing to carry out its mission prior to this move. GSA will extend AHRQ's current leasehold tenancy and attempt to negotiate termination rights into the lease agreement to accommodate the long term housing solution at the Parklawn Building.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current lease in March 2013. However, this proposed short-term lease extension does not require new tenant space build-out or upgrades needed for a long-term occupancy. GSA will conduct the procurement using prevailing market rental rates as a benchmark and basis for negotiating with the current lessor to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

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<sup>1</sup> This estimate is for fiscal year 2013 and may be escalated by 1.65 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

<sup>2</sup> Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
AGENCY FOR HEALTHCARE RESEARCH AND QUALITY  
SUBURBAN MARYLAND**

Prospectus Number: PMD-04-WA13

Congressional District: 8

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**Resolutions of Approval**

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

**Interim Leasing**

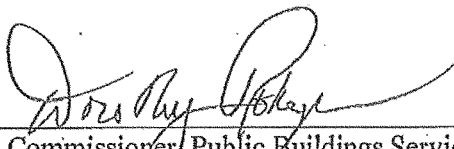
GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

**Certification of Need**

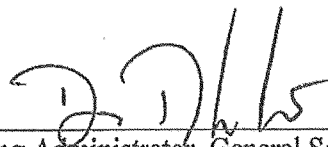
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: \_\_\_\_\_

  
Commissioner, Public Buildings Service

Approved: \_\_\_\_\_

  
Acting Administrator, General Services Administration

July 2012

Housing Plan  
HHS-AHRQSuburban, MD  
PMD-04-WA13

Leased Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
540 Gaither Road	451	451	111,310	1,166	12,746	125,222						
Proposed Lease							468	468	111,310	1,166	12,746	125,222
Total	451	451	111,310	1,166	12,746	125,222	468	468	111,310	1,166	12,746	125,222

Office Utilization Rate (UR) *		
Current		
Rate	193	186

\* UR = average amount of office space per person  
Current UR excludes 24,488 usf of office support space  
Proposed UR excludes 24,488 usf of office support space

USF/Person **		
Current		
Rate	278	268

\*\* USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	125,222	1.07	133,895
Proposed	125,222	1.07	133,895

Special Space	USF
Wellness Center/Vending	893
Copy Center	462
Libraries	3,157
Training Room	400
ADP	795
Mail Room	192
Data Center	526
Conference Center	4,696
Printing/Reproduction Room	1,404
Kitchen	221
Total	12,746

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).



**Committee on Transportation and Infrastructure**  
**U.S. House of Representatives**

**Bill Shuster**  
**Chairman**

**Washington, DC 20515**  
**COMMITTEE RESOLUTION**

**Nick J. Rahall, III**  
**Ranking Member**

Christopher P. Bertram, Staff Director

**LEASE**  
**DEPARTMENT OF HEALTH AND HUMAN SERVICES**  
**SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION**  
**SUBURBAN MARYLAND**  
**PMD-03-WA13**

James H. Zoia, Democrat Staff Director

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a lease extension of up to 228,020 rentable square feet of space, including eight parking spaces, for the Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, currently located at 1 Choke Cherry Road, Rockville, Maryland, at a proposed total annual cost of \$7,980,700 for a lease term of up to two years, a prospectus for which is attached to and included in this resolution.*

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided that*, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 242 square feet or less per person.


*Provided that*, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 242 square feet or higher per person.

*Provided that*, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

  
Bill Shuster, M.C.  
Chairman



GSA

PBS

**PROSPECTUS – LEASE**  
**DEPARTMENT OF HEALTH AND HUMAN SERVICES**  
**SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION**  
**SUBURBAN MARYLAND**

Prospectus Number: PMD-03-WA13

Congressional District: 8

**Executive Summary**

The General Services Administration (GSA) proposes a lease extension of up to 228,020 rentable square feet for the Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA). SAMHSA is currently located at 1 Choke Cherry Road, Rockville, Maryland under a lease that expires August 26, 2014. SAMHSA is planning to move to the Parklawn Building, located at 5600 Fisher's Lane, Rockville, MD, which is scheduled to be ready for occupancy between August 2015 and 2017. SAMHSA is scheduled to move to the Parklawn Building between July and September 2015. GSA is seeking a two-year lease extension to allow SAMSHA to remain in place prior to the move and to provide flexibility in the event of schedule delays at Parklawn. GSA will attempt to negotiate termination rights into the lease agreement to accommodate the long term housing solution at the Parklawn Building.

The proposed space utilization rate at 1 Choke Cherry Road is higher than the HHS overall space utilization standard of 170 USF/person. Space realignment and utilization rate improvement is not cost-effective or feasible for the proposed short-term lease extension at the current location. It would also be highly disruptive to SAMHSA's continuing performance of its mission. However, the agency's planned occupancy of the Parklawn Building will be fully consistent with the applicable HHS space utilization standard.

**Description**

Occupant:	SAMHSA
Lease Type:	Extension
Current Rentable Square Feet (RSF):	228,020 (Current RSF/USF = 1.07)
Proposed Maximum RSF:	228,020 (Proposed RSF/USF = 1.07)
Expansion Space RSF:	None
Current Usable Square Feet/Person:	275
Proposed Usable Square Feet/Person:	242
Proposed Maximum Leasing Authority:	2 years
Expiration Date(s) of Current Lease(s):	8/26/14
Delineated Area:	1 Choke Cherry Road, Rockville MD
Number of Official Parking Spaces:	8
Scoring:	Operating lease
Maximum Proposed Rental Rate <sup>1</sup> :	\$35.00

<sup>1</sup> This estimate is for fiscal year 2014 and may be escalated by 1.6 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government.

GSA

PBS

**PROSPECTUS – LEASE**  
**DEPARTMENT OF HEALTH AND HUMAN SERVICES**  
**SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION**  
**SUBURBAN MARYLAND**

Prospectus Number: PMD-03-WA13  
Congressional District: 8

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Proposed Total Annual Cost <sup>2</sup> :	\$7,980,700
Current Total Annual Cost:	\$5,329,954 (Lease effective 8/27/2004)

### **Background**

SAMHSA is responsible for improving the delivery and effectiveness of substance abuse and mental health services to the American public. SAMHSA is a national leader in advancing effective services to persons with addictive and mental disorders and has stewardship over important interventions affecting personal, community, institutional, and social values.

### **Justification**

The current lease at 1 Choke Cherry Road, Rockville, Maryland expires on August 26, 2014. SAMHSA plans to move to the Parklawn Building which is currently under renovation. SAMHSA will require continued housing to carry out its mission prior to the Parklawn move. GSA will attempt to negotiate termination rights into a lease agreement to provide a flexible transition for SAMHSA's long-term housing solution.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current lease in August 2014. However, this proposed short-term lease extension does not require new tenant space build-out or upgrades needed for a long-term occupancy. GSA will conduct the procurement using prevailing market rental rates as a benchmark and basis for negotiating with the current lessor to ensure that lease award is made in the best interest of the Government. Lease award shall not exceed the maximum rental rate as specified in this prospectus.

### **Resolutions of Approval**

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

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<sup>2</sup> Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs.

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF HEALTH AND HUMAN SERVICES  
SUBSTANCE ABUSE AND MENTAL HEALTH SERVICES ADMINISTRATION  
SUBURBAN MARYLAND**

Prospectus Number: PMD-03-WA13  
Congressional District: 8

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**Interim Leasing**

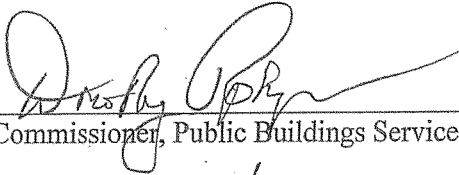
GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

**Certification of Need**

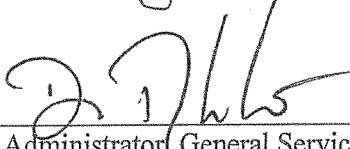
The proposed project is the best solution to meet a validated Government need.

Submitted at Washington, DC, on November 21, 2012

Recommended: \_\_\_\_\_

  
Commissioner, Public Buildings Service

Approved: \_\_\_\_\_

  
Acting Administrator, General Services Administration

July 2012

# Housing Plan HHS-SAMHSA

PMD-03-WA13  
Suburban Maryland

Leased Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
1 Choke Cherry Road	777	777	167,368	2,448	44,116	213,932						
Proposed Lease							884	884	167,368	2,448	44,116	213,932
Total	777	777	167,368	2,448	44,116	213,932	884	884	167,368	2,448	44,116	213,932

Office Utilization Rate (UR) *		
Current		Proposed
Rate	168	148

\* UR = average amount of office space per person  
 Current UR excludes 36,821 USF of office support space  
 Proposed UR excludes 36,821 USF of office support space

USF/Person **		
Current		Proposed
Rate	275	242

\*\* USF/Person = housing plan total USF divided by total personnel

	Total USF	RSF/USF	Maximum RSF
Current	213,932	1.07	228,020
Proposed	213,932	1.07	228,020

Special Space	USF
Conference Rooms	12,524
Video Telecon Center	680
Mail Room	7,379
Library	2,632
Reception	1,612
Server Room	832
Nurse Area	696
Training Room	950
Fitness Center	2,895
Pantries	5,186
File Rooms	8,730
Total	44,116

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).



**Committee on Transportation and Infrastructure**  
**U.S. House of Representatives**

**Bill Shuster**  
**Chairman**

**Washington, DC 20515**  
**COMMITTEE RESOLUTION**

**Nick J. Rahall, III**  
**Ranking Member**

Christopher P. Bertram, Staff Director

**LEASE**  
**DEPARTMENT OF DEFENSE**  
**NORTHERN VIRGINIA**  
**PVA-04-WA12**

James H. Zoia, Democrat Staff Director

*Resolved by the Committee on Transportation and Infrastructure of the U.S. House of Representatives, that pursuant to 40 U.S.C. §3307, appropriations are authorized for a replacement lease of up to 281,000 rentable square feet of space, including 51 parking spaces, for the Department of Defense, currently located in the Suffolk Building, 5611 Columbia Pike, Falls Church, Virginia, at a proposed total annual cost of \$10,959,000 for a lease term of up to 15 years, a prospectus for which is attached to and included in this resolution.*

Approval of this prospectus constitutes authority to execute an interim lease for all tenants, if necessary, prior to the execution of the new lease.

*Provided that*, the Administrator of General Services and tenant agencies agree to apply an overall utilization rate of 200 square feet or less per person.

*Provided that*, except for interim leases as described above, the Administrator may not enter into any leases that are below prospectus level for the purposes of meeting any of the requirements, or portions thereof, included in the prospectus that would result in an overall utilization rate of 200 square feet or higher per person.

*Provided that*, to the maximum extent practicable, the Administrator shall include in the lease contract(s) a purchase option that can be exercised at the conclusion of the firm term of the lease.

*Provided further*, that the Administrator shall require that the delineated area of the procurement is identical to the delineated area included in the prospectus, except that, if the Administrator determines that the delineated area of the procurement should not be identical to the delineated area included in the prospectus, the Administrator shall provide an explanatory statement to the Committee on Transportation and Infrastructure of the House of Representatives prior to exercising any lease authority provided in this resolution.

*Provided further*, that the General Services Administration shall not delegate to any other agency the authority granted by this resolution.

Adopted: February 28, 2013

A handwritten signature in black ink that reads "Bill Shuster".

Bill Shuster, M.C.  
Chairman

GSAPBS

**PROSPECTUS – LEASE  
DEPARTMENT OF DEFENSE  
NORTHERN VIRGINIA**

Prospectus Number: PVA-04-WA12  
Congressional District: 8,10,11

**Executive Summary**

The General Services Administration (GSA) proposes a replacement lease of up to 281,000 rentable square feet for the Department of Defense (DOD), currently located in the Suffolk Building, 5611 Columbia Pike, Falls Church, VA. DOD has a continuing, long-term need for space to meet its mission requirements in Northern Virginia. Notwithstanding a highly efficient office space utilization rate of 114 usable square feet per person, DOD requires a significant amount of critical special space, resulting in the overall space utilization of 264 usable square feet per person. The space is required due to the unique needs of DOD including 48,000 usf of Sensitive Compartmented Information Facility (SCIF) space.

The proposed total annual cost indicated below reflects the adjustment to current market conditions of a lease that will be almost 10 years old at expiration. GSA anticipates that a competitive procurement will result in a lower actual total annual cost. The proposed maximum RSF does not represent expansion space but the amount of space needed to provide 233,925 USF as indicated on the housing plan in buildings having an RSF/USF as high as 1.2 in order to maximize competition.

The maximum proposed rental rate in this prospectus is a projected rate for lease transactions with a future effective (rent start) date consistent with the expiration of the current lease on June 30, 2013. GSA will conduct the procurement using prevailing market rental rates as a benchmark for the evaluation of competitive offers and as a basis for negotiating with offerors to ensure that lease award is made in the best interest of the Government.

**Description**

Occupants:	DOD
Lease Type:	Replacement
Current Rentable Square Feet (RSF):	258,248 (Current RSF/USF=1.1)
Proposed Maximum RSF:	281,000 (Market RSF/USF=1.2)
Expansion Space <sup>1</sup> :	None
Current Usable Square Feet/Person:	264
Proposed Usable Square Feet/Person <sup>2</sup> :	264
Proposed Maximum Leasing Authority:	15 years
Expiration Date of Current Lease:	06/30/13
Proposed Delineated Area:	Northern Virginia
Number of Official Parking Spaces:	51

<sup>1</sup> The RSF/USF at the current location is approximately 1.10.

<sup>2</sup> The proposed usable square feet/person metric is consistent with recent DOD prospectus-level requirements in GSA's Fiscal Year 2011 program.

GSA

PBS

**PROSPECTUS – LEASE  
DEPARTMENT OF DEFENSE  
NORTHERN VIRGINIA**

Prospectus Number: PVA-04-WA12  
Congressional District: 8,10,11

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Scoring:	Operating Lease
Maximum Proposed Rental Rate <sup>3</sup> :	\$39.00
Proposed Total Annual Cost <sup>4</sup> :	\$10,959,000
Current Total Annual Cost:	\$7,006,091 (lease effective 2003)

**Background**

The Suffolk Building, was constructed in 1964 and renovated in 2003. DOD has occupied space in this building under the current lease since December 16, 2003.

**Justification**

The current lease for space in the Suffolk Building expires June 30, 2013, and DOD requires continued housing to carry out its mission.

**Summary Of Energy Compliance**

GSA will incorporate energy efficiency requirements into the Solicitation for Offers and other documents related to the procurement of space for which this prospectus seeks authorization. GSA encourages offerors to work with energy service providers to exceed minimum requirements set forth in the procurement and to achieve an Energy Star performance rating of 75 or higher.

**Resolutions of Approval**

Resolutions adopted by the House Committee on Transportation and Infrastructure and the Senate Committee on Environment and Public Works approving this prospectus will constitute approval to make appropriations to lease space in a facility that will yield the required rentable area.

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<sup>3</sup>This estimate is for fiscal year 2013 and may be escalated by 1.75 percent annually to the effective date of the lease to account for inflation. The proposed rental rate is fully serviced including all operating expenses whether paid by the lessor or directly by the Government. Operating rate would include a standard one shift operation, minimum 10 hours.

<sup>4</sup>Any new lease may contain an annual escalation clause to provide for increases or decreases in real estate taxes and operating costs. The proposed total annual cost is based on the Northern Virginia program rental rate of \$39/RSF multiplied by the proposed maximum 281,000 RSF, as discussed in footnote 1, above.

GSAPBS

PROSPECTUS — LEASE  
DEPARTMENT OF DEFENSE  
NORTHERN VIRGINIA

Prospectus Number: PVA-04-WA12  
Congressional District: 8,10,11

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Interim Leasing

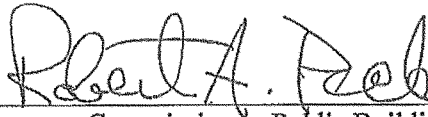
GSA will execute such interim leasing actions as are necessary to ensure continued housing of the tenant agency prior to the effective date of the new lease. It is in the best interest of the Government to avert the financial risk of holdover tenancy.

Certification of Need

The proposed project is the best solution to meet a validated Government need.

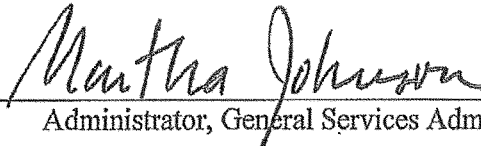
Submitted at Washington, DC, on December 6, 2011

Recommended: \_\_\_\_\_



Commissioner, Public Buildings Service

Approved: \_\_\_\_\_



Administrator, General Services Administration



August 2011

**Housing Plan  
Department of Defense**

Northern, VA  
PVA-04-WA12

Leased Locations	Current						Proposed					
	Personnel		Usable Square Feet (USF)				Personnel		Usable Square Feet (USF)			
	Office	Total	Office	Storage	Special	Total	Office	Total	Office	Storage	Special	Total
Suffolk Building	885	885	129,595	17,404	86,926	233,925						
Proposed Lease												
Total	885	885	129,595	17,404	86,926	233,925	885	885	129,595	17,404	86,926	233,925

Office Utilization Rate (UR) *		
	Current	Proposed
Rate	114	114

\* UR = average amount of office space per person  
 Current UR excludes 28,510 USF of office support space  
 Proposed UR excludes 28,510 USF of office support space

USF/Person **		
	Current	Proposed
Rate	264	264

\*\* USF/Person = housing plan total USF divided by total personnel

	Total USF	RSE/USF	Maximum RSE
Current	233,925	1.1	258,248
Proposed	233,925	1.2 ***	281,000

\*\*\* Market R/U Factor for Competitive Procurement

Special Space	USF
Break Room	1,997
Conference Room	10,598
Holding Cell	108
IT/Telecom Rm	23,158
SCIF	47,858
Security	3,207
Total	86,926

Usable square footage means the portion of the building available for use by tenants' personnel and furnishings, and space available jointly to the occupants of the building (e.g., auditorium, health units and snack bars). Usable square footage does not include space devoted to building operations and maintenance (e.g., craft shops, gear rooms, building supply rooms, rest rooms and lobbies).

There was no objection.

### PRESERVING THE RIGHT TO BEAR ARMS

(Mr. WILLIAMS asked and was given permission to address the House for 1 minute.)

Mr. WILLIAMS. Mr. Speaker, I am a proud supporter of the right to keep and bear arms. I am appalled by the President's attempts to erode our constitutional freedoms and impress his will by executive order. Our Founding Fathers would not have imagined that the right they listed second in the Bill of Rights, the right to bear arms, would be systematically attacked.

My opposition to what the President has proposed is based on the fact that his plan is not only unconstitutional, it is not effective. The Federal Government has tried a ban on these weapons before, and it did not work.

The National Institute of Justice states that "there has been no discernible reduction in the lethality and injuriousness of gun violence" due to the 1994 assault weapons ban. Gun control laws do not make our communities safer. They do not take firearms from criminals but, rather, from law-abiding citizens.

Second, the phrase "assault weapons ban" is a term of art. These are semi-automatic guns that essentially shoot the same kind of bullets as small-game hunting rifles. Simply put, these are hunting rifles made to look like a military gun. Banning it for cosmetic reasons doesn't make sense and won't save any more lives.

Third, banning large capacity magazines will do little to stop criminals. Any gun that uses a magazine can use a magazine of any size. That's true of rifles and handguns. So-called "assault weapons" are not any different.

In the end, if the President wants to begin a national dialogue about stopping violence, he shouldn't start by taking away our rights as citizens. I am willing to work with the President and my colleagues on both sides of the aisle to find a real solution to the challenges we face, but that solution will have to look at all the issues involved. But perhaps the most important part of the solution is restoring a culture of life in this country again.

May God bless America.

□ 1900

### THE ACHIEVEMENTS OF WOMEN

(Ms. FUDGE asked and was given permission to address the House for 1 minute.)

Ms. FUDGE. Mr. Speaker, on Sunday, March 3, 2013, the women of Delta Sigma Theta Sorority, Incorporated, and other women's organizations led the reenactment of the historic Women's Suffrage march down Pennsylvania Avenue. In March 1913, Delta Sigma Theta's 22 founders engaged in their first public act by joining other

women in a "spirit of protest against the political organization of society from which women were excluded."

While we have achieved a great deal in the last 100 years, it is quite evident that our journey is not complete. Women still deserve equal pay for equal work. Women deserve to control their own reproductive rights.

We still have to fight for the rights of all Americans to participate in the electoral process. The struggle continues.

### MS. MORGAN—THE TEACHER; KARA ALEXANDER—THE STUDENT

(Mr. POE of Texas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. POE of Texas. "Thank a Teacher." Mr. Speaker, we have all seen that bumper sticker.

I come from a family of teachers. My mother, mother-in-law, wife, and three of my four kids are teachers by profession.

When a special little girl, Kara, was in the third grade, she and her parents noticed her difficulty in processing words. Her speech pattern affected her self-esteem, her self-worth, and even her weight. Some kids made fun of her. Mrs. Morgan, the third grade teacher, was determined to help the little girl speak better.

With hard work, the little girl and teacher overcame the word problem. The student graduated as high school valedictorian. She obtained her bachelor's and master's degrees. She also obtained a Ph.D.

There is more. Today, that little girl received notice that she is tenured as an associate professor at Baylor University in the department of, yes, English. For you see, Kara Poe Alexander, our daughter, the little girl that had trouble talking, has a Ph.D. in English rhetoric, the study of words.

Congratulations, Kara, on being tenured faculty. And thank you, Mrs. Morgan, a teacher.

And that's just the way it is.

### RECOGNIZING FRANCES PERKINS

(Ms. SCHAKOWSKY asked and was given permission to address the House for 1 minute.)

Ms. SCHAKOWSKY. Mr. Speaker, 80 years ago today, Frances Perkins was sworn in as Secretary of Labor. This is Women's History Month, and Frances Perkins certainly made history.

She was the first woman member in the history of the United States to be part of the Cabinet, and still holds the record as the longest serving Secretary of Labor. She brought us the Fair Labor Standards Act, giving working women and men fair wages, limits on overtime, and the right to organize. She was the architect of the Social Security Act.

Frances Perkins helped bring us out of the Great Depression. And as we

come out of the Great Recession, we need to ask what Frances Perkins would do today.

She would fight to raise the minimum wage. Almost two-thirds of all minimum-wage workers are women. Many are the sole breadwinners for their families. She would defend Social Security against those who want to cut its very modest benefits.

So today, we take time to remember Frances Perkins. Her message is still relevant today. Our Nation is stronger if we give working women—and men—fair opportunities and treatment.

### PASSING THE SAFE SCHOOLS ACT

(Mr. STOCKMAN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. STOCKMAN. Mr. Speaker, the first high-profile school shooting in modern memory occurred in Stockton, California, where a gunman took the lives of five innocent children and injured 29 others.

Robert Young, just 7 years old at that time, was one of the injured. He came up here last week to talk about gun control. This is part of his testimony:

I remember what it sounded like, as the bullets flew past my body. I remember the feeling of my feet literally being swept out from under me as a round traveled through my right foot. I remember the slap of the round that hit the pavement an inch or so in front of me, prior to lodging itself in the left side of my chest.

Today, Rob is a sworn law enforcement officer in the State of California. He came to Washington, not to urge Congress to pass more gun control, but to exhort this body to protect the Second Amendment.

In the 22 years prior to the 1990 enactment of federally dictated "gun-free school zones," there were only two mass shootings on school or university campuses. In the 22 years since, there have been 10, a five-fold increase. Not only have so-called "gun-free school zones" proven not to be "gun free," they appear to have placed our children in even greater danger.

The time has come to end this very deadly experiment of disarming peaceable, law-abiding citizens near schools. That's why I introduced H.R. 35, the Safe Schools Act, to repeal these deadly, so-called "gun-free school zones."

Law-abiding adults, including parents, teachers, and administrators who are allowed in their States to carry a firearm, should not be required to be disarmed. Our children are too precious to be turned into unprotected, soft targets for dangerous people. Passing the Safe Schools Act is the first step toward protecting our children.

### COMMEMORATING THE LEGACY OF JEANNETTE RANKIN

(Ms. EDWARDS asked and was given permission to address the House for 1 minute.)

Ms. EDWARDS. Mr. Speaker, I rise today in recognition of March as Women's History Month and to commemorate the legacy of Jeannette Rankin, the first elected woman to serve in the House of Representatives on this day, March 4, 1917.

Jeannette Rankin furthered women's rights, ensuring universal suffrage and protecting the poor. She began her career as a community organizer, working in low-income neighborhoods in San Francisco, New York, and Washington State, and she witnessed the troubles of women and single mothers living in these communities. Jeannette Rankin became a strong, natural advocate for giving women a national voice through the right to vote.

Remarkably, Jeannette Rankin was elected to Congress when women still did not have the right to vote. The 19th Amendment was passed 3 months after she left Congress. As Rankin herself put it, "We're half the people; we should be half the Congress."

Today, we must continue to honor her work and legacy. With the ongoing budget crisis in mind, it is imperative that we redouble our efforts, as she would have, to come to a solution and to take the lesson of Jeannette Rankin, to fight for women and the poor who are disproportionately affected by sequestration, and to fight for them as Jeannette Rankin fought for them so hard.

#### CLEAN ENERGY AND EXTREME WEATHER

(Mr. GARAMENDI asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. GARAMENDI. Mr. Speaker, the climate is changing. Climate change is very, very real. You only have to look at the superstorms we have had, Sandy and others, and the \$180 billion of destruction that has been wrought upon us from the environment just over the last 2 years.

The climate is changing, and there's something we can do about it. In fact, there's something this House of Representatives must do about it, and that is to move forcefully, directly, and aggressively to clean energy policies. We ought to be subsidizing those clean energy systems that are out there—solar and wind.

In my own district in Solano County, we have one of the biggest wind farms. My own history goes back to 1978, when I authored legislation for State tax credits. We can and we must deal with climate change, and we can do it with clean energy policies.

#### SPORTSMANSHIP ON DISPLAY IN EL PASO HIGH SCHOOL BASKETBALL RIVALRY

(Mr. O'ROURKE asked and was given permission to address the House for 1 minute.)

Mr. O'ROURKE. Mr. Speaker, I rise today to pay tribute to Mitchell

Marcus, Jonathon Montanez, and the Franklin and Coronado High School basketball teams in El Paso, Texas.

Few teams have a more contentious rivalry than these two schools, who compete to claim the title: Pride of the Westside. So it was a hometown sports miracle when these rivals came together last month to support Mitchell Marcus, a special-needs student who was the Coronado basketball team manager.

With 90 seconds left in the season's final game, Coach Peter Morales put Mitchell in the game to fulfill his dream of making a basket. However, after a few missed shots, Mitchell's opportunity seemed lost. But with seconds left in the game, rival Franklin player Jonathon Montanez passed the ball to Mitchell, and he scored the final basket as the clock hit zero. Fans stormed the court to carry Mitchell on their shoulders, chanting his name.

It is a moment now famous in El Paso and around the world because it shows that character and compassion can transcend even the bitterest rivalries.

□ 1910

#### HONORING THE LIFE AND LEGACY OF SERGEANT GARY MORALES

(Mr. MURPHY of Florida asked and was given permission to address the House for 1 minute.)

Mr. MURPHY of Florida. Mr. Speaker, I rise today to honor the life and legacy of Sergeant Gary Morales, who was laid to rest today after being killed in the line of duty at the age of 35 last Thursday in Fort Pierce, Florida. Sergeant Morales was a 12-year veteran with the St. Lucie County Sheriff's Office and also proudly served our country as a member of the United States Air Force.

There has been an outpouring of support in the wake of the shooting, with the community coming together to support his wife, Holly, and their two young daughters, Brooklyn and Jordan. The community has also come together to share fond memories of a man that everyone remembers as being an outstanding officer with a bright future and someone who always went above and beyond to help others. It is clear that Sergeant Morales not only dedicated his life to service, but was a true leader and a selfless hero.

Mr. Speaker, Sergeant Gary Morales dedicated his life to serving his community and his country. I extend my most heartfelt condolences to the Morales family and his extended family at the sheriff's office during these most difficult times. I am humbled to recognize him here today.

#### GOP FRESHMAN CLASS HOUR: THE SECOND AMENDMENT

The SPEAKER pro tempore (Mr. VALADAO). Under the Speaker's announced policy of January 3, 2013, the

gentleman from Indiana (Mr. MESSER) is recognized for 60 minutes as the designee of the majority leader.

#### GENERAL LEAVE

Mr. MESSER. I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and include extraneous materials on the subject of this Special Order.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Indiana?

There was no objection.

Mr. MESSER. Mr. Speaker, I rise today as part of the second in a series of Special Orders put on by the newly elected freshman Republican caucus. Our first was on spending; today we rise to speak on the Second Amendment.

I have participated, in the first 50 days of my service here in this Chamber, in 19 public events throughout the Sixth District of Indiana—coffees, meetings with constituents, the public, folks who vote to send us here—and I can tell you in every one of those events people have two topics top of mind: they're focused on spending; they're focused on the sequester. They're tired of the Federal Government that continues to spend money that we don't have, and they want the government to follow the principle that every American family does, which is, you don't spend money unless you have money to spend. But the second topic that I hear everywhere that I go is the Second Amendment and the importance of making sure that that bedrock principle of American liberty is protected.

We all know of the tragic events that have occurred in recent months here in America—obviously the Connecticut tragedy being foremost on top of the mind. I want to make clear in my comments, as I do all throughout my district, that as a Nation we are heartbroken by tragedies like that when they occur. As a Nation, we mourn and weep with the families that had to deal with those tragedies. But as sad and tragic as those circumstances are, we cannot allow those events to be an excuse to undercut the Second Amendment and all that it means for liberty in this Nation.

There are opportunities to make a difference for public safety in this debate. It is time for a national conversation about mental health because the common denominator in every one of these crimes is that the perpetrator is someone who is mentally ill.

There are opportunities to do more on school security, and I'm hopeful that we will be able to work through those as we move forward. But this much must be made clear: gun bans don't work. They are only effective at preventing law-abiding citizens from having guns because the criminals and mentally deranged that commit these crimes don't care about the fact that there is a law that would have them not have a gun. To blame a gun for a

crime is to blame a pen for a misspelled word. I look forward to the opportunity to dialogue with my colleagues today on this important topic.

I appreciate Congressman STOCKMAN and Congressman WILLIAMS for their comments just a few minutes ago.

I yield to the gentleman from Utah to step forward and give comments on this important topic.

Mr. STEWART. I thank the gentleman from Indiana for yielding his time.

I had the great blessing of growing up on a family farm. I know what it's like as a kid to be so excited to go hunting with my brothers and with my father that you can't sleep the night before. I also had the great privilege of serving for 14 years as a pilot and an officer in the United States Air Force. There I learned a little bit about defending our Nation through an adequate show of force. I also, by the way, qualified as an expert marksman in small arms.

Recent and saddening events of violence have brought conversations about guns to the national stage. These acts of violence, as terrible as they are, should not be used by the White House as justification to revoke the rights outlined in our Constitution.

The Second Amendment clearly states that the right of the people to keep and bear arms shall not be infringed. Our Founding Fathers created this amendment to protect the citizens from government tyranny. In 2008, the Supreme Court emphatically stated that the right to bear arms is an individual right. Today, it continues to ensure Americans' right to defend themselves against the evil in the world.

Based on a survey as recently as 2000, U.S. civilians do use guns to protect themselves and others from crime at least 990,000 times a year—almost 1 million times a year. It's critical that we continue to protect this personal and absolute right.

While gun-related violence is indeed tragic—and we all know that it is; as my friend, the gentleman from Indiana, has so eloquently stated, we bleed for those who suffer from this—it's important to note that it only accounts for a small portion of the violent crimes that are committed in the United States.

As an example, the U.S. Department of Justice has said that of the roughly 5 million violent crimes committed in the United States during 2008, only 8 percent were committed by offenders who visibly were armed with a gun. Most of those crimes were committed with guns that were already illegal. Even the U.S. Justice Department conducted a survey in the 1990s and found that approximately 79 percent of the State prison inmates that carried a firearm during an offense that sent them to jail received their gun either through an illegal source or from one of their friends or family.

Stricter laws to ban guns will not solve any of these problems. We already have many laws in place; but in-

stead of creating new and harsher laws, we need to do a better job of enforcing the gun laws that we currently have.

Finally, let me say this: I believe that the timing of this proposal and these bills, it just isn't right. At a time when sequestration just went into effect and our country is on a path towards bankruptcy, it's unacceptable that the White House continues to push its gun control agenda.

We need to be focusing on getting our country back on a path of fiscal sanity. We need the President and his administration to show leadership. We need to ensure that America maintains its leadership role in the world. To do that, we need to budget and to spend responsibly. We need to replace President Obama's sequester—and it is this President's sequester—with common-sense spending cuts and reforms.

Most importantly, we need the President to demonstrate an understanding of the Nation's need to balance our budget and get us back on a path towards fiscal sanity. That is the great fight of our day. That is the great challenge that we are facing.

My heart bleeds for the victims of gun violence—whether they're in Newtown or in New York or in my home district—but the President's proposals will not help.

□ 1920

They aren't designed to address the core problems of mental health or a culture that is steeped in violence, violence that is thrust upon our children through media that are bent upon making more money through the violence that they propagate. Mr. Speaker, let's concentrate our attention on the greatest challenge of our day, not on a Band-Aid of additional laws that are designed to do nothing but to make some liberals feel better.

To the gentleman from Indiana, I yield back and thank you for this opportunity to address the House.

Mr. MESSER. I appreciate the comments of the gentleman from Utah.

As we consider the tragedy that occurred in Newtown, Connecticut, it is natural to want to do something to prevent that from ever happening again. The victims of such unthinkable crimes deserve our solemn prayers for their loss and our deepest sympathy for their pain. The perpetrators of such evil deserve justice for their crimes.

The problem, however, is that the President and other opponents of the Second Amendment are seeking to limit our constitutional rights by pitching Americans a false sense of security: that by taking away rights, somehow those who intend to do harm will not do so. History shows that gun bans only keep guns away from law-abiding citizens, not criminals. Those who want to build, modify, or acquire weapons for violence will do so.

I recognize the gentleman from Florida on this important topic.

Mr. YOHO. I'd like to thank the gentleman from Indiana for his time. Mr.

Speaker, I'd like to thank you for allowing me to rise here today.

Mr. Speaker, I rise to address this body tonight about a subject that weighs heavy on the minds of many of my constituents and many Americans. It is a subject and a right that has been granted to us by our country's founding principles, the Constitution, not by government. It is the birthright of any law-abiding citizen of the United States of America, and it is their choice to exercise that right. It is the role and duty of government to protect those rights.

In my 2 months as their Representative, more people in the Third Congressional District of Florida have reached out to me with their concerns over how Congress will address our Second Amendment after the much-publicized, tragic event at Newtown, Connecticut.

This, indeed, I think we all agree was a senseless act of violence. This is not a time to make a knee-jerk reaction and challenge our Second Amendment and restrict our rights as law-abiding citizens. This is not a time to play partisan politics. This is a time to come together.

This is a time to go after the cause of this despicable act, the individual and the cause of gun violence. I stand 100 percent with President Obama and all others that want to curb gun violence so long as it does not interfere with our Second Amendment. The Second Amendment states:

A well regulated Militia being necessary to the security of a free State, the right of the people to keep and bear arms, shall not be infringed.

This is necessary to protect the Third Amendment:

No soldier shall in time of peace be quartered in any house, without the consent of the Owner, nor in time of war, but in a manner to be prescribed by law.

Those who commit the unspeakable crime we've witnessed a few months ago should not be able to hide behind any amendment or law in this country. But the real issue is gun violence, not the gun. We must be vigilant in using the laws already available to the fullest extent possible and look at why people are doing these crimes. Before we punish or infringe upon the rights of the law-abiding individual, we should look more at causes of mental health issues that lead to these crimes.

This point is illustrated by the Department of Justice's own internal memo that we're discussing tonight, which notes that the greatest number of guns used in crime comes from straw purchases, those being purchased by someone for someone else or by theft of a gun, not by the person that abides by the law.

Laws that place even more restrictions on law-abiding citizens who only want the right to own a gun for any legal activity they determine will not deter the person intent on doing harm. People with bad habits tend to do bad things.

The first week of this Congress, I joined many of my colleagues here on

the House floor in the reading of our Constitution. We took an oath at that swearing-in ceremony to uphold the Constitution. I carry a copy of our Constitution with me everywhere I go. Any and all we do in this body, and our colleagues in the Senate, should be done to uphold, to protect, and to strengthen this document; and by doing this, we strengthen America. Our Constitution has set America apart from every other country in the world, and I aim to keep it that way.

Mr. MESSER. Thanks again to the gentleman from Florida. I appreciate your comments today. I thank my colleague from Utah and my colleagues from Texas who had the opportunity to speak earlier, and I appreciate your leadership on this important topic.

Obviously, we face many challenges as a Nation. The Second Amendment is one of them, but an important one. Clearly, we all want to prevent horrible tragedies similar to the loss of those young lives in Newtown, Connecticut; but gun bans and many of the other proposals from this President are not the answer.

For example, an internal memo from the Justice Department said that the universal background checks proposed by this President will only be effective if paired with required gun registration—a list of law-abiding citizens who simply exercise their constitutional right to own a firearm. This is a blatant intrusion of privacy, and it cannot be allowed.

We need real solutions that aim to identify, treat or limit access to the evil few who perpetrate these horrible acts. I am unwilling to turn my back on the Constitution and sacrifice the liberty of the people I represent for a false sense of security. We need real solutions; and despite our disagreements, there are opportunities to work together.

As I mentioned earlier, blaming a gun for violence is to blame a pen for a misspelled word. If we can come together and focus on the real causes of this violence, then there are opportunities to work together, and I stand ready to work with every Member of this Chamber, regardless of party, to move this country forward.

Mr. Speaker, I yield back the balance of my time.

#### CBC HOUR: THE IMPACT OF SEQUESTRATION

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2013, the gentleman from New York (Mr. JEFFRIES) is recognized for 60 minutes as the designee of the minority leader.

GENERAL LEAVE

Mr. JEFFRIES. Mr. Speaker, I ask unanimous consent that all Members be given 5 legislative days to revise and extend their remarks.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. JEFFRIES. Mr. Speaker, it is my honor and my privilege to stand here today as a member of the Congressional Black Caucus to participate one more time as an anchor for the CBC Special Order today on the subject of the impact of sequestration on the American people.

As we know, on Friday, the sequestration took effect, automatic spending cuts of a significant painful amount that will be experienced by the American people all across the land. Mr. Speaker, unfortunately, it's something that was avoidable had there been a willingness to try and find common ground.

There are many of us who believe that the most appropriate approach would have been to try and find a balanced resolution involving tax reform and revenue and attempting to identify where reasonable spending adjustments could have been made. But instead of all parties trying to come together to find a balanced resolution to the problem that we find ourselves in, there are some in this Chamber who seem committed to trying to balance the budget on the backs of the most vulnerable in our society, balancing the budget on the backs of children and seniors, pregnant women, Superstorm Sandy victims, public housing residents, or national security.

□ 1930

I'm just hopeful that as we move forward that we can find the capacity, find the ability, find the courage to come together to seek out common ground so we can resolve this sequestration matter and move forward supporting the economy in the manner that will be the healthiest for the greatest number of Americans possible.

I'm pleased today that we've been joined by several distinguished members of the Congressional Black Caucus, including the chairperson of the CBC, to whom I yield as much time as she may consume, the Honorable MARCIA FUDGE, who has been a tremendous leader on so many issues on behalf of working families and the middle class and seniors all across this country.

Ms. FUDGE. I thank the gentleman for yielding. And I certainly do want to thank Congressman JEFFRIES for once again leading the Congressional Black Caucus Special Order hour on another timely and important topic: the impact of sequestration.

Mr. Speaker, here we are. It is March 4, and the Congress and the administration are still mired in political gridlock with no resolution on how to avoid the across-the-board cuts, destructive as they may be, and untargeted sequestration cuts. How irresponsible.

Many communities around the country are still reeling from the worst economic recession since the Great Depression. Let us not forget that the national black unemployment rate re-

mains in double digits at 13.8 percent, far higher than the national rate. Now these communities can only watch as the sequester threatens to roll back the modest gains of the last few years.

The Office of Management and Budget estimates that title I education funds could be eliminated for more than 2,700 schools. This cut alone will have an impact on nearly 1.2 million disadvantaged students. In my home State of Ohio, the public schools are preparing for the loss of \$25.1 million in funding for primary and secondary education. You tell me, Mr. Speaker, what have children done to deserve this impact of sequestration?

The sequester will impact every neighborhood and every household. No matter your race or your age, the sequester will have an impact on your life.

What does the sequester mean for our economy? What does it mean for our neighborhoods? What does it mean for your household? It means cuts to education. The jobs of 10,000 teachers are now at risk. It means cuts to small business. Small business loan guarantees will be reduced by up to \$540 million. It means cuts to food safety. There will be roughly 2,100 fewer food inspectors. It means compromising workplace safety. Workers will be less safe due to about 1,200 less safety inspections. It means cuts to mental health funding. Up to 373,000 mentally ill adults and emotionally disturbed children will go untreated.

The American people expect and deserve more. While Congress debates the policies of deficit reduction, our struggling communities must cope with the consequences of our inaction. While politicians argue over tax cuts, our cities and towns—rural and urban—become less secure. Our children's futures become less secure. Our children are important.

We could talk all night about how and why we got here, but many of you at home, our constituents, only want to know how we're going to end the sequester, escape this fiscal limbo and set our Nation back on the right track.

The path to prosperity is built on compromise. As long as House Republicans insist on the Grover Norquist cut-only approach to budgetary health, Congress will not move forward. Simply put: A cut-only plan will not work. A true path forward will be a compromise built upon raising revenues and targeted cuts.

Just last week, this caucus, the Congressional Black Caucus, delivered a plan to House leadership on how to responsibly replace the sequester. The CBC budget replaces the sequester with commonsense cuts and revenue options that don't make the rich richer and the poor poorer.

Mr. Speaker, this constant cycle of fiscal calamities and cliffs is bad for the Nation. It's bad for our economy, and it is bad for our people. We were sent to Congress to move America forward. Time has run out for games. The

sequester is not a game. It means real cuts that will affect the lives of real people.

Again, I thank the gentleman.

Mr. JEFFRIES. Thank you, Congresswoman FUDGE.

I now yield to the Congresswoman from the Golden State, Congresswoman BARBARA LEE from California.

Ms. LEE of California. Let me thank you for your tremendous leadership and pulling us all together tonight to talk about this impact of sequestration. And I also want to thank our chair of the Congressional Black Caucus, MARCIA FUDGE, for once again sounding the alarm and keeping us on track.

Let me first just start by saying we need to stop the sequestration, and we need to create jobs, lift the economy and reduce poverty.

The sequester will impact my congressional district in my home State of California and every single household in America. It will push 750,000 Americans into the unemployment line and slow our entire economy.

In my home State, for example, it will cut 8,200 children from Head Start and shut the door to college for about 9,600 students. Additionally, 600,000 to 775,000 eligible low-income women and children are going to be denied nutritional assistance because they're going to be cut from the WIC program.

Sequestration will impact everyone, but it will have a particularly harmful effect on communities of color who were hit first and worst by the Great Recession and have yet to significantly feel the effects of the recovery.

Let me just read out 10 reasons which were recently highlighted by the Center for American Progress, and why communities of color and the African American community and Latino community particularly should pay attention to sequestration and the impact it will have in these communities.

First, there are going to be deep cuts to the long-term unemployed and the reduction of benefits will disproportionately affect people of color.

Extended Federal unemployment benefits remain vulnerable under sequestration, and the long-term unemployed—those out of work and searching for a new job for at least 6 months—could lose almost 10 percent, mind you, 10 percent of their weekly jobless benefits if the sequester goes into effect.

Now, 13.8 percent of African Americans and 9.7 percent of Latinos are unemployed. Worse than that, 40 percent of unemployed Asians, 38 percent of African Americans and 28 percent of Latinos have been unemployed for more than 52 weeks.

Secondly, workforce development programs that are vital to communities of color such as YouthBuild and Job Corps face significant cuts. YouthBuild is a program that connects low-income youth to education and training, and it could be cut about 8 percent

Cuts to critical job-creation programs such as Build America Bonds are also on the chopping block. This was created in 2009 and provides incentives for infrastructure investments through the Tax Code.

Fourth, Federal budget cuts under sequestration would quickly mean cuts to Federal, State, and local public sector jobs which disproportionately employ women and African Americans. In 2011, employed African Americans comprised 20 percent of the Federal, State, and local public sector workforce, and women were nearly 50 percent more likely than men to work in the public sector.

Early child care funding could be cut by more than \$900 million, impacting thousands of children of color who benefit from these programs, programs that directly help the most vulnerable families and children such as, as I said earlier, WIC. They're threatened by sequestration.

Federal education funding cuts will disproportionately hurt students of color. If sequester goes into effect in the way it has been designed, nearly \$3 billion would be cut in educational loans, including cuts to financial aid for students and to programs for our most vulnerable youth.

Cuts to medical research put patients at risk. The National Institutes of Health would lose \$1.5 billion in medical research funding, meaning fewer research projects would be aimed at finding treatments and cures for diseases such as HIV/AIDS, cancer, and diabetes, all of which are among the leading cause of death for African Americans.

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Since 2010, funding for housing has been cut by \$2.5 billion, meaning any additional cuts would significantly hurt low-income families and communities. Many housing programs, such as section 8 housing assistance, provide vouchers to low-income families for affordable housing in the private sector.

Finally, as the Nation continues to endure a cold winter, programs such as the Low Income Home Energy Assistance Program, which helps bring down the cost of heating for low-income households, are critical.

With that, Mr. Speaker, I would like to insert for the RECORD an article from today's New York Times, headed: "As Automatic Budget Cuts Go into Effect, Poor May Be Hit Particularly Hard." It explains that sequestration cuts, as they are called, still contain billions of dollars in mandatory budget reductions and programs that help low-income Americans, including ones that give vouchers for housing for the poor and the disabled and another that provides fortified baby formula to the children of poor women.

So I think we need to really listen to the Congressional Black Caucus and understand what this means in terms of vulnerable, marginal communities—communities of color and individuals

who were hardest hit by the recession and who have yet to feel any of the economic recovery that has taken place and who are going to now have another hit in terms of the safety net and the quality of life. They don't deserve this. We need to get back to the drawing board and do what is right and what is fair.

[From the New York Times, Mar. 3, 2013]

AS AUTOMATIC BUDGET CUTS GO INTO EFFECT, POOR MAY BE HIT PARTICULARLY HARD

(By Annie Lowrey)

WASHINGTON.—The \$85 billion in automatic cuts working their way through the federal budget spare many programs that aid the poorest and most vulnerable Americans, including the Children's Health Insurance Program and food stamps.

But the sequestration cuts, as they are called, still contain billions of dollars in mandatory budget reductions in programs that help low-income Americans, including one that gives vouchers for housing to the poor and disabled and another that provides fortified baby formula to the children of poor women.

Republican and Democratic lawmakers largely resigned themselves to allowing sequestration—a policy meant to force them to the negotiating table, not to actually reduce the deficit—to take wider effect after it started on Friday. That leaves agencies just seven months to carry out their cuts before the fiscal year ends on Sept. 30. In many cases, they will eventually have to deny aid to eligible needy families.

Unless a deal is reached to change the course of the cuts, housing programs would be hit particularly hard, with about 125,000 individuals and families put at risk of becoming homeless, the Department of Housing and Urban Development estimated. An additional 100,000 formerly homeless people might be removed from emergency shelters or other housing arrangements because of the cuts, the agency said.

Local administrators are trying to decide how to put the mandatory 5.1 percent budget cuts into effect by the end of September. Adrienne Todman, the executive director of the District of Columbia Housing Authority, said that no person in her program currently using a housing voucher or living in a public facility would be affected or put out on the street.

But to absorb the cuts, Ms. Todman plans to defer maintenance and leave staff vacancies open. She may also not be able to fill open public housing units as tenants vacate them. And she may stop rolling over housing vouchers to families on the waiting list. Eventually, she said, she may have to furlough employees.

"It's a shame. It's more than a shame, it's despicable," Ms. Todman said, noting that her agency already lacked enough capacity to meet the district's needs. "These are real families that we have deemed eligible and are waiting to receive their voucher from us."

In Washington and across the country, families and individuals generally need to have very low incomes to be eligible for federal assistance. Public housing residents in Washington have an average annual income of just \$12,911. More than 40 percent are either children or the elderly, and more than a quarter live with a disability. In the voucher program, the annual income is even lower, just over \$10,000 a year, and similarly large proportions of residents are elderly, disabled or young.

"These people are very, very, very poor," said Sheila Crowley, the president of the National Low Income Housing Coalition, speaking of recipients of federal housing support

across the country. "They don't have resources to fall back on."

In some places, officials have already started carrying out cuts. For instance, King County in Washington State, which includes Seattle, stopped issuing new housing vouchers on Friday.

"Sequestration will result in some 600 fewer families in our local communities receiving crucial rental assistance over the next year," Stephen Norman, the executive director of the county housing authority, said in a statement. "Because rents are so high, many of these families may, quite literally, find themselves out on the street."

Members of Congress have indicated that they might give agencies more discretion in fulfilling the cuts, to help blunt their impact. But policy experts said that in the case of many low-income programs, budget cuts would necessarily mean fewer people get help.

"There's no loose change in the cushions," Ms. Crowley said. "Anything you take out of HUD is going to reduce services and cut programs. There's just no fat there. There hasn't been for a long time."

Other programs that assist low-income families face similarly significant cuts, including one that delivers hot meals to the elderly and another that helps pregnant women. Policy experts are particularly concerned about cuts to the supplemental nutrition program for women, infants and children known as WIC, which provides food and baby formula for at-risk families.

It is considered one of the most effective social programs in government, reducing anemia and increasing birth weights. But up to 775,000 low-income women and their children might lose access to or be denied that aid because of the mandatory cuts, according to calculations by the Center on Budget and Policy Priorities, a nonprofit research group.

The start of sequestration, a policy never meant to take effect, has left both sides seeking cover, with many Democrats dramatizing the impact of the cuts and many Republicans playing them down.

Some Republicans, in fact, have said that whatever the effect, the cuts are a necessary part of reversing the trend of the government spending more and taking on more debt.

"President Obama proclaimed that the sequester's 'brutal' and 'severe' cuts will 'eviscerate' America's domestic spending," Senator Rand Paul, Republican of Kentucky, wrote in a recent article published by Investors.com. "But 'eviscerate' is not the adjective I would use; in fact, I believe the sequester is a pittance."

The \$85 billion in cuts is just a small part of the \$3.6 trillion annual budget, but policy experts say that even those cuts that are being applied to programs that do not specifically focus on low-income people and communities will disproportionately affect them.

Other cuts might not hit low-income Americans specifically, but their impact could affect vulnerable families disproportionately. Those include cuts to programs that aid children with special needs; job-training programs that help unemployed people find a new career; foreclosure prevention services; and programs that help 150,000 veterans every year make the transition into the nonmilitary work force.

They also include a reduction in jobless benefits for the long-term unemployed. Those out of work for more than six months could see their checks shrink by as much as 11 percent.

The Budget Control Act, a 2011 law that created the automatic cuts, exempted "mandatory" spending programs that aid low-income Americans, like Medicaid, which re-

ceive automatic federal financing. But it did not exempt "discretionary" programs, whose financing Congress determines in its annual appropriations process.

[Feb. 22, 2013]

#### TOP 10 REASONS WHY PEOPLE OF COLOR SHOULD CARE ABOUT SEQUESTRATION

(By Sophia Kerby)

Thanks to congressional Republicans putting the economy in jeopardy during the debt ceiling debacle in the summer of 2011 and again in 2012, a package of automatic across-the-board spending cuts known as sequestration is set to go into effect on March 1, 2013. Senate Democrats have proposed a balanced approach to resolve this crisis, urging congressional Republicans to avoid the damaging sequester cuts by accepting a package of more tax revenue coupled with targeted spending cuts. But once again Republicans are threatening the economy by risking massive and harmful spending cuts that will hurt the middle class, damage the economy, kill hundreds of thousands of jobs, and harm the most economically vulnerable among us.

Sequestration will impact all Americans but will have a particularly harmful effect on communities of color, who were hit first and worst by the Great Recession and have yet to significantly feel the effects of the recovery. Our nation's demographics are changing, and communities of color are the fastest-growing group of Americans. It is important that we invest now in these communities, as we prepare for our nation's economic future and upcoming workforce needs.

Our driving focus should be on averting crises that slow our economy and instead, promoting policies that help all Americans.

Below are the top 10 reasons why communities of color should pay attention to sequestration and the impact it will have in these communities:

1. Deep cuts to long-term unemployment benefits will disproportionately affect people of color. Extended federal unemployment benefits remain vulnerable under sequestration, and the long-term unemployed—those out of work and searching for a new job for at least six months—could lose almost 10 percent of their weekly jobless benefits if the sequester cuts go into effect next week. These cuts will have a greater impact on people of color, as 9.7 percent of Latinos and a staggering 13.8 percent of blacks are unemployed, compared to only 7 percent of whites. What's more, in 2011, 40 percent of unemployed Asians, 38 percent of unemployed blacks, and 28 percent of unemployed Latinos were unemployed for more than 52 weeks.

2. Workforce development programs that are vital to communities of color such as YouthBuild and Job Corps face significant cuts. YouthBuild, a program connecting low-income youth to education and training, could be cut by about 8 percent under sequestration. Coupled with previous federal appropriation cuts in fiscal year 2011 by 37 percent, the program could see about one-third of its federal funding cut between fiscal year 2010 and fiscal year 2013. In 2010, 54 percent of YouthBuild participants were African American and 20 percent were Latino. Job Corps, an education and training program geared toward young adults, faces about \$83 million in cuts in FY 2013 under sequestration. In 2011, 72 percent of Job Corps participants were people of color.

3. Cuts to critical job-creating programs such as the Build America Bonds program are also on the chopping block. Build America Bonds, which were created in the 2009 stimulus bill, provides incentives for infrastructure investments through the tax code.

Since its inception, the program has helped states and cities fund thousands of job-creating infrastructure projects at lower costs than traditional tax-exempt municipal bonds. Build America Bonds could see budget cuts of up to 7.6 percent, however, if sequestration goes through. Build America Bonds benefit all Americans, as more than \$106 billion of Build America Bonds have been issued by state and local governments in 49 states and the District of Columbia since the program started. Infrastructure investments stimulate employment in sectors that employ disproportionately high rates of workers of color, such as construction and public transit.

4. Federal budget cuts under sequestration would quickly mean cuts to federal, state, and local public-sector jobs, which disproportionately employ women and African Americans. In 2011 employed African Americans comprised 20 percent of the federal, state, and local public-sector workforce, and women were nearly 50 percent more likely than men to work in the public sector. According to the Congressional Budget Office, scheduled cuts in federal spending were the primary driving force behind slow economic growth projected for this year, meaning thousands of lost jobs and cuts to federal contractors.

5. Early child care funding could be cut by more than \$900 million, impacting the thousands of children of color who benefit from these programs. Such cuts will mean 70,000 children will be kicked out of Head Start, a federal program that promotes the school readiness of children from low-income families from birth through age 5. Sixty percent of program participants are children of color.

6. Programs that directly help the most vulnerable families and children—such as the Special Supplemental Nutrition Program for Women, Infants, and Children, or WIC—are threatened by sequestration. WIC serves as a supplemental food and nutrition program for low-income pregnant, breastfeeding, and postpartum women and for children under age 5. The program could be cut by \$543 million—a devastating loss to the more than 450,000 people of color who benefit from its services.

7. Federal education funding cuts will disproportionately hurt students of color. If the sequester goes into effect, nearly \$3 billion would be cut in education alone, including cuts to financial aid for college students and to programs for our most vulnerable youth—English language learners and those attending high-poverty, struggling schools—impacting 9.3 million students. Such cuts will affect key programs that receive federally funded grants such as Education for Homeless Children and Youth and federal work study. The lack of access to financial aid for people of color will further exacerbate the student debt rates in these communities. In the 2007–08 academic year, 81 percent of African Americans and 67 percent of Latinos with a bachelor's degree graduated with student debt, compared to 64 percent of their white peers. Cutting access to these vital financial aid programs will curtail the higher education aspirations of tens of thousands of students of color.

8. Cuts to critical medical research put patients at risk. The National Institutes of Health would lose \$1.5 billion in medical research funding, meaning fewer research projects would be aimed at finding treatments and cures for diseases such as cancer and diabetes—both of which are among the leading causes of death for African Americans.

9. Since 2010 funding for housing has been cut by \$2.5 billion, meaning any additional cuts would significantly hurt low-income families and communities. Many housing



programs such as Section 8 Housing Assistance provide vouchers to low-income families for affordable housing in the private market. In 2011 Section 8 aided more than 2 million low-income families across the country. Data from 2008 indicate that 44 percent and 23 percent of public housing recipients are African American and Latino, respectively.

10. As the nation continues to endure a cold winter, programs such as the Low-Income Home Energy Assistance Program, or LIHEAP, which helps bring down the cost of heating for low-income households, are crucial. The Low-Income Home Energy Assistance Program, which helped about 23 million low-income people pay their winter heat bills, is in jeopardy of being cut in FY 2013. Low-income communities, which tend to disproportionately comprise of people of color, depend on such programs to make ends meet during these tough economic times.

In order to avoid significant damage to the U.S. economy—and particularly to communities of color across the country—congressional Republicans should agree to a balanced package to replace the sequester and its damaging cuts.

Mr. JEFFRIES. Thank you, Congresswoman LEE.

The economic recovery, as you pointed out, is still in an extremely fragile state. Many of those most vulnerable Americans who were adversely impacted by the recession still have not been made whole in any way, shape, or form. Sequestration is an \$85 billion shock to the system. It may begin as a slow burn, but it is going to sear over time. It is going to hurt our most vulnerable Americans, as has been detailed in congressional district after congressional district across this country.

It is irresponsible for us to even have allowed it to get to this point, which is why we are advocating for everyone to come to the table to find common ground. This is a democracy, not a dictatorship. Because we are in a divided government, it is unreasonable to simply say “no revenues.” So as a result of this hardened position, we find ourselves in the midst of this sequestration.

We’ve been joined by the distinguished gentleman from New Jersey, my good friend, Congressman Donald Payne, to whom I yield the floor.

Mr. PAYNE. Mr. Speaker, I want to thank my good friends and colleagues—Congressman HORSFORD from Nevada and Congressman JEFFRIES from New York, across the water from me—for once again anchoring this Special Order for the CBC on the impact of sequestration.

I came to Washington to work—to serve the hardworking families and individuals in my district who have been disproportionately impacted by this economy. I came to Washington to spur growth and development for the sake of this country’s economic future. Unfortunately, my colleagues on the other side oppose any effort that would support this mission. Sadly, the only growth and development that the Republican leadership has spurred has been the development of lies and the growth of fear among the American people.

We now face the drastic cuts of sequestration because the Republican leadership in Congress refuses to adopt a balanced approach to our Nation’s deficit and debt. Instead, they push drastic measures that would only further depress this economy. The fact is that it is impossible to reduce Federal debts without a healthy economy, and a healthy economy will not develop as a result of sporadic cuts but, rather, as a result of increased revenue, in part by an increased volume of working people who earn income and pay taxes. This is common sense; yet the sequester and everything the Republican leadership has proposed undermines the current and future workforce, and it disproportionately harms low-income families and individuals.

At a time of great need for a skilled workforce, the sequester would cut workforce development programs and assistance for college students. As it was stated, YouthBuild and Job Corps are key workforce development programs that provide pathways to employment for low-income youth. These programs already experienced a 37 percent cut in fiscal year 2011, but they will face additional cuts under sequestration. TRIO programs are key Federal supports for first-generation college students to prepare them to attend and complete college. These programs serve nearly 800,000 students, and they will face cuts of almost \$43 million under sequestration.

In New Jersey, my home State, around 1,480 fewer low-income students will receive financial aid for college, and nearly 650 fewer students will receive work-study jobs. Approximately 15,000 students will be impacted by the cuts in education, and around 1,300 children will be removed from Head Start. Nationally, approximately 9 million students will be impacted due to cuts in education, and nearly 70,000 children will be removed from the Head Start program.

Further, under sequestration, the security of children and their families will also be impacted. Research shows that the Special Supplemental Nutrition Program for Women, Infants, and Children—WIC—improves birth outcomes, reduces child anemia and improves the participants’ nutrition and health. It is widely regarded as one of the most effective social programs; yet under sequestration this program will be forced to cut an estimated 600,000 to 775,000 women and children. This is devastating.

These cuts are unnecessary and counterproductive. Democrats have offered commonsense solutions time and time again to our deficit issue, including the latest alternative to sequestration—H.R. 699. Unfortunately, the Republican leadership prefers manufacturing problems and not offering real solutions. The Republican leadership claims that their actions are in the name of our Nation’s future and austerity for our children; but our Nation’s deficit peaked at \$1.4 trillion in

2009, which was prior to their efforts to cut, and it has been falling ever since.

Our economy, though sluggish, is experiencing record growth. Now is not the time for arbitrary cuts. Now is the time to end the shameful attack on the middle class and the hardworking Americans. Pass a balanced approach. We are waiting for leadership in this area.

Mr. JEFFRIES. I want to thank the gentleman from New Jersey for pointing several things out, but particularly for making it clear that we have already made significant progress under this administration, in partnership with this side of the aisle, as we have attempted to move forward over the last several years as it relates to deficit reduction. I believe that we’ve cut approximately \$2.5 trillion—done—as it relates to deficit reduction. While certainly we’re open to trying to figure out how to move forward in the best possible way as it relates to the economy, an \$85 billion shock to the system over the next several months and approximately \$1 trillion over the next 10 years is harmful as it relates to the ability to move the economy forward.

We are thankful that we have been joined by the distinguished gentlelady from the Virgin Islands, Congresswoman DONNA CHRISTENSEN.

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Mrs. CHRISTENSEN. I thank you for yielding, and I thank you for hosting this Special Order and for coming to the floor on many evenings to speak to the American people and make sure that they understand what is at stake here.

I am somewhat ashamed to come back to work this week because the sequester wasn’t avoided, and the failure of Congress to work together and take action has put so many important programs that our fellow Americans rely on, so many jobs, and the early recovery from the recent recession at risk.

Our Democratic leaders said before the President’s Day recess and again at the end of last week that we should not go home without fixing the sequester; and yet the Republican leadership, which sets the schedule, did not enable us to stay here and work together to prevent the cuts that everyone knows will hurt our country.

So under the Republican leadership—or lack of it—the Federal budget, which affects government workers, contracts, and programs in every department, will have an across-the-board ax taken to them. I think that we are smart enough that if the will was there, we would come together and reason to a far better approach than this blunt instrument that’s now being applied.

It makes one wonder: what are our priorities? If we look at where the cuts will hurt the most, it does not tell a proud story—education and job training, Head Start, special education, health and programs like WIC that support the health of mothers and babies,



mental health and substance abuse programs when we have seen so vividly and painful how much these programs are needed, health care, law enforcement and homeland security, defense, housing, jobs and the economy, which is now struggling to recover.

And as often happens, people of color are disproportionately impacted. African Americans are more likely to work in the public sector where the jobs are going to be cut. We already have the highest unemployment and will be severely hurt by the reduction in unemployment benefits. The YouthBuild and Job Corps programs that were spoken about earlier, over 70 percent of the young people in those programs are African American and Latino, and those programs will be cut.

The TRIO programs, which have already been cut, caused the Virgin Islands' only Upward Bound program to be lost. They need to be more fully funded; but they, too, will suffer. And many low-income students will not have the benefit of their support to enter and complete college.

I want to focus on how it will affect my district, the U.S. Virgin Islands. We stand to lose \$13 million in Federal funding. The territories already do not participate in all of the Federal programs that the States do, and many programs are capped regardless of need or what would have been the eligibility in the States.

Already, over the past 2 years, the Virgin Islands Government has had to cut salaries 8 percent and laid off about 500 government workers. The abrupt closing of the HOVENSA oil refinery has cost 200 direct jobs and many more indirect ones. So that \$13 million does not tell the full impact, nor does it include the impact of possible layoffs, furloughs, or other reductions of the close to 800 Federal employees in the territory.

If we just look at WIC, Meals on Wheels, special ed, Head Start and HIV/AIDS, which serve almost 10 percent of our population of 106,405, a cut of any size will have a major impact on some of the most vulnerable in any society.

Unemployment is over 17 percent in St. Croix, the island on which I live and where the HOVENSA refinery was operating. The cuts in unemployment benefits will definitely be felt. All of these cuts hurt individuals and families, but like everywhere else, they have ripple effects across the entire community.

The American people expect better from us. They expect us to lead and to govern, to be responsive to their needs and to help the less fortunate. This 113th Congress thus far has not lived up to their expectations. The Congressional Black Caucus, as it always is, is prepared and poised to lead. We will soon be releasing our budget, which raises revenues, makes strategic investments that strengthen our country, and still would reduce the deficit over the next 10 years, more than any other budget that we've seen proposed,

so we know it can be done. And we also know that the cuts the sequester would impose will cost this country more in the long run.

So where is the gain? We have been advised time and time again that the cuts in the sequester are the worst thing that we can do at this time; and although no one wants to talk about it, what we really need is another stimulus.

Last week the Fed Chairman, Ben Bernanke, strongly advised:

Congress and the administration should consider replacing the sharp, front-loaded spending cuts required by the sequestration with policies that reduce the Federal deficit more gradually in the near term and more substantially in the longer run.

That's what all reputable economists have been saying. We need to call off the sequestration before irrevocable harm is done and replace it with a sensible approach that recognizes and counts the savings that we have already put in place, that does not stifle the growth that we need and still reduces the deficit in the long run.

The American people are tired of the gridlock up here. They want us to work together. They also, in their vote in November, said very clearly that they support the President's approach and agenda. As the African Kikuyu proverb says: When the elephants fight, it is the grass that suffers.

My constituents are hurting, as I know all of yours are. The sequester only adds more pain and suffering and does nothing to reduce spending, because more spending will have to be done to clean up the mess the sequester will leave later on. Let's call it off and let's pass a responsible and fair budget for the rest of the year.

It's time for the Republican leadership to work with our President, the President of the United States, Barack Obama. Together, we can do better for our country and for those who send us here to represent them. We must do better.

Mr. JEFFRIES. Congresswoman CHRISTENSEN, thank you very much.

I think it's important to emphasize a point that you just made as it relates to what we should be doing to jumpstart the economy. We should be investing in the American economy, attempting to grow it so we can create prosperity for the greatest number of people possible, not using sequestration, which is a blunt instrument, to beat the economy and give it a pounding when it is already in an extremely fragile state.

We know that objective economists have said that sequestration will have an impact of 750,000 lost jobs. We can't afford that at this moment. We urge our colleagues to come back to the negotiating table.

I'm pleased that we've been joined by the distinguished gentleman from Illinois, Congressman DANNY DAVIS.

Mr. DANNY K. DAVIS of Illinois. Madam Speaker, I want to thank the gentleman for his leadership in hosting

this event. It is so good to see young and talented individuals come to the Congress, building upon the experiences that they've had in their city, State, and local governments, and it's a pleasure to be here.

You know, I've been told that you can measure the humaneness of a society by how well it treats its old, how well it treats its young, and how well it treats those who have difficulty caring for themselves. I was just thinking that should the sequestration deal hold through the end of the fiscal year, between 600,000 and 750,000 low-income women, infants, and children will be turned away.

This would be not only unfortunate, but it would be a tremendous change in what precedence has been because traditionally, dating back to 1997, both parties have made it a point of trying to make sure that this population group did in fact have an opportunity to participate in the Women, Infants, and Children program and that low-income pregnant women, infants, and children, the most vulnerable members of our society, would be able to have the basic necessities of life.

And it was amazing to me this weekend, as I watched a little bit of television on Sunday morning, on the traditional Sunday talk shows, and how different Representatives were characterizing this action as: not as bad as some people thought it was going to be; it's not going to affect as many people as it seems; our country has not fallen into Lake Michigan.

Well, I can tell you, if you are a young, pregnant mother with no money, no place to go, and you rely upon the Women, Infants, and Children program to try to make sure that you produce a healthy baby who just comes into the world with a chance to make it and who, without these services, may come into life already disadvantaged, already behind.

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And so I don't know how we can actually do this with a good conscience. But, also, I can't imagine what it is that we're thinking. How do you cut, cut jobs and opportunities for people to work and expect to raise a recessed economy?

I've always been led to believe that you've got to have the exchange of goods and services. You've got to keep money flowing in an economy, in a society, to move it beyond the bottom up towards the top.

And so, in the recessed state that we're in, we need to be producing jobs, creating work opportunity, not furloughing, laying people off, having them wonder what they're going to be able to do. I think it's the wrong approach. I think it's not a good way to manage our resources, and I think it's not a good message that we're sending to the American people.

So, sir, I want to thank you, again, for the opportunity to participate with you and other members of the Congressional Black Caucus as we raise awareness that, with this sequestration deal,

our country is headed in the wrong direction.

Mr. JEFFRIES. Thank you, Congressman DAVIS, for your leadership and for your eloquence in laying out, in a very clear, concise, and articulate fashion, the problems with sequestration that we are forced now to confront here in America as a result of the irresponsibility of some in this Chamber.

I'm pleased that we've been joined by my distinguished co-anchor, the gentleman from Nevada, the Silver State, STEVEN HORSFORD. I now yield to Representative HORSFORD.

Mr. HORSFORD. Thank you, Madam Speaker. To my good friend and colleague, Representative JEFFRIES, thank you for co-anchoring this special hour, and to all of my colleagues who joined us tonight to discuss the impact of the sequester.

You know, far too often, talk of the so-called sequester ignores the very real people who feel the pain of unfair cuts. Our job, as Representatives, is to be the voice of our constituents. Well, tonight, I hope that we can have a frank discussion about what these cuts really mean to all of our communities.

My colleagues talked about the 750,000 to 1 million job losses that could result as a result of the sequester. Any day, Congress can pass a reasonable, balanced deficit reduction solution to avert these devastating, across-the-board cuts. That's what the American people are asking for, in fact.

According to a USA Today/Pew Research poll, three out of four Americans surveyed said that Congress should focus on a balanced approach to the deficit, with a combination of spending cuts, strategic spending cuts, and additional revenue.

Now, I know here in Washington, sometimes the focus is more on scoring political points, or seeing who can win the blame game. Well, Madam Speaker, the American people are watching, and they are fed up with the broken ways of Washington. They came out and they voted in November, and they sent a very clear message to all of us here in Congress that it is time for us to work together to put partisanship aside and to put our Nation first.

So, if all parties would come to the table, like we are supposed to, we can minimize the impact of the sequester on working families like mine in Congressional District Four. If we do our jobs, like the American people are rightfully demanding, we can reduce our debt in a responsible way and get our economy moving again.

So I call on my colleagues on the other side of the aisle: Come to the table, help find a solution, and let's fix some of these deep cuts that were never supposed to happen. I wasn't part of the Congress that enacted the sequester. I know my colleague, Mr. JEFFRIES, was not either, but we are here now, and we want to do our jobs on behalf of the constituents who sent us here.

This is victory for no one and a horrible loss for the American people.

Now, if we let the sequester continue, our economic recovery will be thrown in reverse.

A study by George Mason University projects a loss of 2.14 million American jobs if we fail to act. Half of those jobs will come from small businesses, businesses that are the engines of our economy. Perhaps most unfair, as part of the sequester, our schools and our students will be hurt.

Now, a couple of weeks ago, I voted, along with many of my colleagues, to not adjourn this body, to stay here throughout the so-called District Work Week to work with my colleagues across the aisle to try to come up with a balanced solution to avoid these devastating cuts. But the leadership, the Republican leadership, decided to adjourn.

And so, instead of spending time with our families, we went out and met with our constituents to listen to them about what these cuts mean in their everyday lives. So let me talk to you about what this means in my home State of Nevada.

Nearly 300 Nevada children will lose Head Start and early Head Start services. These are programs that provide critical early education programs. At a time when we talk about wanting to close the academic achievement gap and allowing every child to start school ready to learn on day one, these impacts would deny services to 300 Nevada children. In fact, I already have 400 children who are on the waiting list for one of my Head Start providers, and families can't even get in to be served.

Primary and secondary education in Nevada would be cut by \$9 million, putting around 120 teacher and teacher aide jobs at risk. Funding for title I schools would be slashed.

One particular elementary school that I visited, Matt Kelly Elementary School, over 50 percent of their allocation from the school district is title I funding. How is that school supposed to maintain the services that they're providing to these young and deserving children?

Services like nutrition programs, full-day kindergarten, a parent center so that we can actually have parental involvement in our schools, that is what is under attack with these mindless, across-the-board cuts.

About 14,000 fewer students would be served, and approximately 10 fewer schools in my district would even receive funding under title I.

Disadvantaged and vulnerable children could lose access to child care, which is also essential for working parents. When we talk about helping people get back to work, one of the biggest impediments for many families is having access to child care.

Schools and families in my district need these programs to provide hungry students the meals that they need to focus in class, to fund math and reading intervention programs, and to keep their teachers employed.

We can reduce unnecessary spending, Madam Speaker, but these are the

wrong places to cut, and everyone knows it on both sides of the aisle, in both Chambers of this Congress.

□ 2010

Now, some of these cuts won't heal. And as Mrs. Marian Wright Edelman of the Children's Defense Fund has aptly noted, we better be careful what we cut because some cuts don't heal. We don't get a second chance at Head Start. We don't get a second chance once our kids have moved on to the next grade, with or without the schools that they need. We don't get a second chance at the whole formative experience of education that so heavily influences the paths of our lives.

Opportunities are just that. They're there for a moment, and they disappear if you don't act. There is no reset button for your education. Once our children are in those classrooms, we set them on a track for success or failure. We tip the scales for or against them in the moment that they walk through the front doors of the schoolhouse.

We ask our students to study hard, meet deadlines and do their homework. That's their end of the bargain. We, as parents, are asked to be involved, to foster our children's growth and to pay attention to their needs. As Members of Congress, our end of the bargain is to make sure that our children's schools are well-funded institutions of learning.

Well, if anyone is grading Congress right now, we're not doing our job, Madam Speaker. We even gave ourselves a 2-month extension, but we missed our deadline and let cuts go into effect that Members from both parties have described as dumb, avoidable, and painful. Congress didn't make the grade.

When it comes to fixing the deficit, you have to be careful what you cut. As I said, according to the Children's Defense Fund, eliminating early education investments now would increase a child's chances of going to prison later by up to 39 percent. Paying for that prison will cost nearly three times more a year than it would have cost to provide them with a quality early learning experience.

Simply put, our kids are being shortchanged by adults here in Washington. This is an adult problem, and it's time for adults to be adults and to come into this body and work together and solve this for our children and their future.

Let's make the right choice—adequately fund our schools and look out for our children.

I thank my colleague for yielding.

Mr. JEFFRIES. Thank you, Congressman HORSFORD.

I think what is important, as it relates to the moment we find ourselves in right now in America, is that there are some who make the argument that the reason why the sequestration cuts perhaps were acceptable is because we've got to do something to deal with our out-of-control spending problem—I believe that's the phraseology that is

often used—that we have here in America. And certainly when you think about the debt number that we have, \$16 trillion, it strikes you as an extremely troubling situation.

And then of course we've had debates back and forth as it relates to the debt ceiling and suggestions from some in this Chamber that the President's effort to raise the debt ceiling is evidence of his willingness to be irresponsible as it relates to the economy.

What's interesting, of course, is that the debt ceiling is not a forward-looking vehicle that's designed to give the administration the ability to spend more. The debt ceiling is a backward-looking vehicle designed to give President Obama at this moment the ability to pay for bills that this Congress has already incurred.

And so when we talk about the notion that there is a spending problem in America, let's be accurate with what really is at issue. And the reality is that many of the bills that we've already incurred, that Americans are forced to pay for and borrow in order to meet our obligations, these were debts incurred by the prior administration.

In fact, this chart illustrates the dynamic that we find ourselves in as it relates to where we really are in America and how we got here. Under the prior administration of George W. Bush, we had two significant tax cuts that were not paid for in 2001 and 2003 that disproportionately benefited the wealthy and the well off. We had an unjustified war in Iraq that cost Americans in lives and in treasure and that contributed significantly to the deficit and our need to raise and borrow additional debt.

And then, of course, we had the collapse of the economy. It cost America, by some estimates, \$22 trillion in lost wealth, homeownership, and economic productivity. And as a result of the collapse of the economy, which took place under the prior administration—many argue they were sleeping at the switch and allowed some in Wall Street to engage in reckless behavior—we were forced to bail out some of the largest financial institutions in this country, which added to our financial burden here in America. And then when the administration came in, inherited a train wreck, in order to stimulate the economy we incurred some additional financial responsibility.

And so when you look at this chart, you can see what the projected debt is as a result of things that occurred in the prior administration as a proportion of GDP. This is a dangerously high number. But we are at this point where the debt has increased relative to our GDP because of things that happened in the prior administration. And, in fact, if you look at the bottom of the chart, you see what the debt would be, much lower, as a proportion of GDP, had those things not occurred.

So when you talk about the need to get spending under control, let's be intellectually honest. Because when

we're not, you lay out a scenario: Well, it's because of Social Security that we're in this situation. That's not the case. Well, it's because of Medicare and entitlements that we're in this situation. That's not the case. Well, it's because of Medicaid, and we have all of these takers—so-called takers—in our economy. That's not the case.

Two wars, one of which was completely unjustified, the other of which it's not clear whether it was prosecuted in the manner it could have been because we were distracted in Iraq; two enormous tax cuts that benefited the wealthy and the well off disproportionately; the collapse of the economy; a subsequent Wall Street bailout; and then the need for an economic stimulus package explains why we are where we are right now.

And so the sequestration is an irrational, irresponsible, illegitimate reaction to the reason why we are in this place. And that's why, Congressman HORSFORD, we are arguing for a balanced approach to our economic reality, the one that we confront right now.

I yield to the gentleman from Nevada.

Mr. HORSFORD. Thank you to my friend and my colleague from New York. And as you aptly noted, the history of how we got to this point needs to not be lost in this debate. And I know there are some who also want to now talk about the cuts that were made in agreement with the administration last year, along with those additional revenues which were approved in January, as somehow the answer for why there needs to be no additional revenue.

□ 2020

That doesn't take into account the \$85 billion of cuts that are now upon us under this sequester.

I'd like to just hit on three additional points, if I could. One is the unemployment impact.

We're focused on growing the economy, putting people back to work. In my home State of Nevada, we still have an unemployment rate above the national average. While our numbers are coming down, we don't need to add anyone to the unemployment lines. Under the sequester, some 750,000 to 1 million Americans will end up losing their jobs unless this Congress comes together and finds a solution—a balanced approach, as you indicate.

In Nevada, that's 10,000 lost jobs. And of those jobs, the main areas that will be affected are the civilian positions at our Air Force bases—Nellis Air Force Base, Creech Air Force Base, and the Hawthorn Army Depot. It's estimated that some 1,400 furloughs will occur to civilian jobs, amounting to \$11 million in lost wages. These aren't just lost wages to these individuals and their families; it's \$11 million less of economic recovery that we so desperately need.

Then when you talk about our tourism and the impact to travel, the FAA

will be required to cut its operational activities by nearly \$483 million. As a consequence, all FAA employees could be furloughed for 11 days, meaning as much as 10 percent of the FAA's workforce of 40,000 would be on furlough on any given day. So for those of us who travel, States like ours, yours in New York that rely on tourism to fuel our economies, that is going to affect our ability to recover.

On top of that, Nevada will lose funds for job search assistance to help those who are currently looking for work. Nevada could lose upwards of \$300,000 in funding for job search assistance, referral and placement, meaning that 10,000 fewer people will get the help that they need for the skills to help them find another job.

So these are the dire impacts that we see, talking to our constituents. These are the real impacts that we believe need to be addressed by this Congress in a balanced approach.

Mr. JEFFRIES. I thank you for highlighting some of the impacts that are going to take place in your district in Nevada.

If I might ask, Madam Speaker, how much time do we have remaining on our Special Order?

The SPEAKER pro tempore (Mrs. WAGNER). The gentleman has 4 minutes remaining.

Mr. JEFFRIES. Madam Speaker, I represent the Eighth Congressional District in New York. It was one of the districts that was hardest hit by Superstorm Sandy that struck on October 29.

The people of the Eighth Congressional District—neighborhoods like Canarsie and Coney Island, Sea Gate, Brighton Beach, Manhattan Beach, Mill Basin, folks who are in coastal communities along the Atlantic Ocean or who live near the Jamaica Bay—lost their homes, experienced significant damage, were displaced, lost property that can never be recovered.

They were victimized on October 29, and then this Congress attempted to come together to provide swift and immediate relief—as is our responsibility to do when Americans have been hit with disaster. A \$60 billion aid package was passed in the Senate. Although there was a promise for a vote in 2012, it didn't happen. At the 11th hour, it was yanked because there were some who were arguing—again, in the name of alleged fiscal responsibility—that we should be considering offsets. Americans in need, desperate, but we should be considering offsets, unprecedented in the history of America's response to a tragedy.

Then, thankfully, in January, we came together. Common sense prevailed and we were able to pass that robust \$60 billion package. But now we've victimized those who were impacted by Superstorm Sandy in a district that I represent—and others in New York and New Jersey and Connecticut—for a third time because in this sequestration, \$2.5 billion in superstorm aid relief has been cut.

That's just one of the examples of how sequestration will impact folks in my congressional district and all across the country, which is why we've been arguing for a balanced response.

The other thing that I'd note: I was in Brooklyn a few days ago and had a meeting with public housing leaders. The New York City Public Housing Authority, which presides over public housing units in New York City—the largest such public authority related to public housing in the country—will experience a \$190 million cut as a result of sequestration. There are already residents of public housing in my district and all across the city of New York dealing with inhumane conditions right now—mold infestation, broken elevators, rat infestation, the inability to get repairs done on a timely basis, violence at levels that should not be tolerated. And instead of cutting almost \$200 million from the Public Housing Authority in New York, we should be investing more.

Madam Speaker, we're hopeful that we can arrive at a place where common sense will prevail and we can move forward to keep America moving forward in a reasonable way.

I yield to my colleague from Nevada to close.

Mr. HORSFORD. I just want to add that this debate begins and ends with the American people. We want to hear and listen to their views. We want you to know that you can go to # Be Careful What You Cut and tell us the impacts that you are seeing with this sequester and how it is affecting you. That way we can share those opinions and views with our colleagues to hopefully convince them that a balanced approach, working across party lines, both Chambers, the Senate and the House, coming together for the good of the American people is what we desperately need at this time.

Madam Speaker, thank you for allowing us to speak this evening and for the American people allowing us to be their voice in this representative government.

Mr. JEFFRIES. Madam Speaker, I yield back the balance of my time.

Ms. EDDIE BERNICE JOHNSON of Texas. Madam Speaker, when the Congress adjourned last week, it did so without addressing the drastic spending cuts known as sequester. Now the March 1st deadline has passed, still with no action. Without the attention of Congress, these cuts will wreak havoc on our fragile economy and jeopardize the safety and security of families in this country. House and Senate Democrats have both offered reasonable, balanced plans to avert these damaging cuts, but the GOP has refused to work towards a bipartisan plan to reduce the deficit. We have had more than a year to reach a bipartisan agreement, and without an agreement these cuts will be balanced on the backs on our most vulnerable citizens.

I am specifically concerned about the effects of sequestration on the 30th District, and the state of Texas as a whole. Texas will lose approximately \$67.8 million for primary and secondary education, putting educators at risk

and compromising our children's education. In Texas alone, approximately 52,000 civilian Department of Defense employees would be furloughed, reducing gross pay by around \$274.8 million in total. These are not just numbers. Madam Speaker. These are mothers and fathers trying to provide for their families.

Under sequestration, 9,730 fewer children in Texas will receive vaccines, and our state will lose approximately \$3,557,000 to help provide meals for seniors. Texas will also lose approximately \$2,402,000 to help respond to public health threats including infectious diseases and natural disasters.

Madam Speaker, we must confront our federal debt and deficit, but we must do so in a balanced approach that does not further harm our weakened economy. Deficit reduction must be comprised by both decreased spending and enhanced revenue measures. I implore the House leadership and the Republican Members of Congress to come back to the table and get back to work.

#### LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HONDA (at the request of Ms. PELOSI) for today on account of a death in the family.

Mr. YOUNG of Alaska (at the request of Mr. CANTOR) for February 25 through March 7 on account of medical reasons.

Mr. CULBERSON (at the request of Mr. CANTOR) for today on account of illness.

#### SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 47. An act to reauthorize the Violence Against Women Act of 1994.

#### ADJOURNMENT

Mr. JEFFRIES. Madam Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 28 minutes p.m.), under its previous order, the House adjourned until tomorrow, Tuesday, March 5, 2013, at 10 a.m. for morning-hour debate.

#### EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

566. A letter from the Program Manager, Department of Health and Human Services, transmitting the Department's "Major" final rule — Patient Protection and Affordable Care Act; Standards Related to Essential Health Benefits, Actuarial Value, and Accreditation [CMS-9980-F] (RIN: 0938-AR03) received February 25, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

567. A letter from the Director, Office of Congressional Affairs, Nuclear Regulatory Commission, transmitting the Commission's "Major" final rule — Seismic Evaluation Guidance: Screening, Prioritization and Implementation Details (SPID) for the Resolu-

tion of Fukushima Near-Term Task Force Recommendation 2.1: Seismic received February 26, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Energy and Commerce.

568. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-020, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

569. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-010, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

570. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-001, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

571. A letter from the Acting Assistant Secretary, Legislative Affairs, Department of State, transmitting Transmittal No. DDTC 13-021, pursuant to the reporting requirements of Section 36(c) of the Arms Export Control Act; to the Committee on Foreign Affairs.

572. A letter from the Assistant Secretary of the Army, Civil Works, Department of Defense, transmitting the Engineering Documentation Report for the Flood Damage Reduction Project for the Roseau River; (H. Doc. No. 113—13); to the Committee on Transportation and Infrastructure and ordered to be printed.

573. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Changes in accounting periods and methods of accounting (Rev. Proc. 2013-20) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

574. A letter from the Chief, Publications and Regulations, Internal Revenue Service, transmitting the Service's final rule — Applicable Federal Rates — March 2013 (Rev. Rul. 2013-7) received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

575. A letter from the Chief, Publications and Regulations Branch, Internal Revenue Service, transmitting the Service's final rule — Update of List of Plants, Grown in Commercial Quantities in the United States, Having a Preproductive Period in Excess of Two Years Based on the Nationwide Weighted Average Preproductive Period for Such Plant [Notice 2013-8] received February 20, 2013, pursuant to 5 U.S.C. 801(a)(1)(A); to the Committee on Ways and Means.

#### PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. ROGERS of Kentucky:

H.R. 933. A bill making appropriations for the Department of Defense, the Department of Veterans Affairs, and other departments and agencies for the fiscal year ending September 30, 2013, and for other purposes; to the Committee on Appropriations, and in addition to the Committee on the Budget, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MCCLINTOCK (for himself, Mr. COSTA, Mr. DENHAM, Mr. NUNES, Mr. VALADAO, Mr. MCCARTHY of California, and Mr. LAMALFA):

H.R. 934. A bill to amend the Wild and Scenic Rivers Act related to a segment of the Lower Merced River in California, and for other purposes; to the Committee on Natural Resources.

By Mr. GIBBS (for himself, Mr. AUSTIN SCOTT of Georgia, Mr. SCHRADER, and Mr. MCINTYRE):

H.R. 935. A bill to amend the Federal Insecticide, Fungicide, and Rodenticide Act and the Federal Water Pollution Control Act to clarify Congressional intent regarding the regulation of the use of pesticides in or near navigable waters, and for other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committee on Agriculture, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. MATHESON (for himself and Mr. DENT):

H.R. 936. A bill to amend the Help America Vote Act of 2002 to eliminate straight-party voting from any voting system used for Federal elections; to the Committee on House Administration.

By Mr. PRICE of North Carolina (for himself and Mr. COBLE):

H.R. 937. A bill to support innovation and research in the United States textile and fiber products industry; to the Committee on Science, Space, and Technology, and in addition to the Committees on Ways and Means, and Foreign Affairs, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. ROS-LEHTINEN (for herself and Mr. DEUTCH):

H.R. 938. A bill to strengthen the strategic alliance between the United States and Israel, and for other purposes; to the Committee on Foreign Affairs, and in addition to the Committees on the Judiciary, and Science, Space, and Technology, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. BENTIVOLIO (for himself, Mr. GRIFFIN of Arkansas, Mr. WESTMORELAND, Mr. ROSS, and Mr. YOHIO):

H.R. 939. A bill to suspend the sale, lease, transfer, retransfer, or delivery of F-16 aircraft, M1 tanks, and certain other defense articles or defense services to the Government of Egypt; to the Committee on Foreign Affairs.

By Mrs. BLACK (for herself, Mr. FLEMING, Mr. FORTENBERRY, Mr. DAINES, Mr. BOUSTANY, Mr. JONES, Mr. CASIDY, Mr. ROGERS of Alabama, Mr. NUNNELEE, Mr. LIPINSKI, Mr. HULTGREN, Mr. BONNER, Mr. CRAMER, Mr. BROUN of Georgia, Mr. JOHNSON of Ohio, Mr. WALBERG, Mr. TIBERI, Mr. KELLY, Mr. NEUGEBAUER, Mr. FLORES, Mrs. ELLMERS, Mr. GINGREY of Georgia, Mr. POMPEO, Mr. ROE of Tennessee, Mr. KING of Iowa, Mr. MURPHY of Pennsylvania, Mr. BENTIVOLIO, Ms. FOX, Mr. RODNEY DAVIS of Illinois, Mr. WILSON of South Carolina, Mr. POE of Texas, Mr. FINCHER, Mr. WESTMORELAND, Mr. GRAVES of Georgia, Mr. BACHUS, Mr. BARLETTA, Mr. JORDAN, Mrs. WAGNER, Mr. BENISHEK, Mrs. BLACKBURN, Mr. WENSTRUP, Mr. SOUTHERLAND, Mr. SCHWEIKERT, Mr. HUELSKAMP, Mr. HARRIS, Mrs.

HARTZLER, Mr. MILLER of Florida, Mr. SMITH of New Jersey, Mr. ROSKAM, Mr. PEARCE, and Mrs. WALORSKI):

H.R. 940. A bill to amend the Patient Protection and Affordable Care Act to protect rights of conscience with regard to requirements for coverage of specific items and services, to amend the Public Health Service Act to prohibit certain abortion-related discrimination in governmental activities, and for other purposes; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. CAPUANO:

H.R. 941. A bill to ensure that any authority of the Mutual Mortgage Insurance Fund to borrow amounts from the Treasury is used only to pay mortgage insurance claims; to the Committee on Financial Services.

By Mr. CROWLEY (for himself and Mr. SENSENBRENNER):

H.R. 942. A bill to amend title XVIII of the Social Security Act to provide for coverage and payment for complex rehabilitation technology items under the Medicare program; to the Committee on Energy and Commerce, and in addition to the Committee on Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. DUNCAN of Tennessee:

H.R. 943. A bill to amend the Federal Crop Insurance Act to immediately reduce crop insurance premium subsidy rates from the higher subsidies provided since the Agricultural Risk Protection Act of 2000; to the Committee on Agriculture.

By Mr. GARCIA:

H.R. 944. A bill to provide for eligibility for relief from removal for certain Venezuelans; to the Committee on the Judiciary.

By Mr. SOUTHERLAND:

H.R. 945. A bill to remove from the John H. Chafee Coastal Barrier Resources System the areas included in Indian Peninsula Unit FL-92 and Cape San Blas Unit P-30 in Florida; to the Committee on Natural Resources.

By Mr. HOLT:

H. Con. Res. 20. Concurrent resolution permitting the use of the rotunda of the Capitol for a ceremony to award the Congressional Gold Medal to Professor Muhamad Yunus; to the Committee on House Administration.

By Ms. LEE of California (for herself, Mr. BURGESS, and Mr. VAN HOLLEN):

H. Res. 95. A resolution supporting the goals and ideals of Multiple Sclerosis Awareness Week; to the Committee on Energy and Commerce.

By Ms. MOORE:

H. Res. 96. A resolution expressing support for designation of the week of March 3 through 9, 2013, as "School Social Work Week"; to the Committee on Education and the Workforce.

#### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. ROGERS of Kentucky:

H.R. 933.

Congress has the power to enact this legislation pursuant to the following:

The principal constitutional authority for this legislation is clause 7 of section 9 of article I of the Constitution of the United States (the appropriation power), which states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law . . ." In addition, clause 1 of section 8 of article I of the Constitution (the spending power) provides: "The Congress shall have the Power . . . to pay the Debts and provide for the common Defence and general Welfare of the United States . . ." Together, these specific constitutional provisions establish the congressional power of the purse, granting Congress the authority to appropriate funds, to determine their purpose, amount, and period of availability, and to set forth terms and conditions governing their use.

By Mr. MCCLINTOCK:

H.R. 934.

Congress has the power to enact this legislation pursuant to the following:

Article IV, Section 3, N. Clause 2, which confers on Congress the power to make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States.

By Mr. GIBBS:

H.R. 935.

Congress has the power to enact this legislation pursuant to the following:

Pursuant to clause 3(d)(1) of Rule XIII of the Rules of the House of Representatives, the Committee finds the Constitutional authority for this legislation in Article I, section 8, clause 18, that grants Congress the power to make all laws necessary and proper for carrying out the powers vested by Congress in the Constitution of the United States or in any department or officer thereof.

By Mr. MATHESON:

H.R. 936.

Congress has the power to enact this legislation pursuant to the following:

This bill is enacted pursuant to Article I, Section 4, Clause 1 of the United States Constitution.

By Mr. PRICE of North Carolina:

H.R. 937.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, clause 3 of the United States Constitution, "to regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes." This authority is consistent with the bill's goal of promoting growth, innovation and research in the United States textile and fiber products industry.

By Ms. ROS-LEHTINEN:

H.R. 938.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution

By Mr. BENTIVOLIO:

H.R. 939.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution To regulate Commerce with foreign Nations, and among the several States, and with the Indian Tribes

By Mrs. BLACK:

H.R. 940.

Congress has the power to enact this legislation pursuant to the following:

Fourteenth Amendment, Section 5: All persons born or naturalized in the United States, and subject to the jurisdiction thereof, are citizens of the United States and the State wherein they reside. No State shall make or enforce any law which shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property, without due process of law; nor deny to any

person within its jurisdiction the equal protection of the laws.

By Mr. CAPUANO:

H.R. 941.

Congress has the power to enact this legislation pursuant to the following:

Article I, section 8, clause 1 (relating to the general welfare of the United States); and Article I, section 8, clause 3 (relating to the power to regulate interstate commerce).

By Mr. CROWLEY:

H.R. 942.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the U.S. Constitution

By Mr. DUNCAN of Tennessee:

H.R. 943.

Congress has the power to enact this legislation pursuant to the following:

The authority to regulate interstate commerce pursuant to Article I, Section 8, Clause 3.

By Mr. GARCIA:

H.R. 944.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 4, which reads: To establish a uniform rule of naturalization, and uniform laws on the subject of bankruptcies throughout the United States.

By Mr. SOUTHERLAND:

H.R. 945.

Congress has the power to enact this legislation pursuant to the following:

Article IV, section 3 of the Constitution of the United States grants Congress the authority to enact this bill.

The Congress shall have Power to dispose of and make all needful Rules and Regulations respecting the Territory or other Property belonging to the United States; and nothing in this Constitution shall be so construed as to Prejudice any Claims of the United States, or of any particular State.

#### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions as follows:

H.R. 22: Mr. CRAMER.

H.R. 23: Mr. WENSTRUP.

H.R. 25: Mr. WITTMAN.

H.R. 32: Mr. THOMPSON of California, Mrs. MCCARTHY of New York, Mr. PEARCE, Mr. GENE GREEN of Texas, Mr. SMITH of New Jersey, Mr. OWENS, Ms. SHEA-PORTER, Mr. PRICE of North Carolina, Mr. REED, Ms. GABBARD, Ms. SCHWARTZ, and Mr. BARBER.

H.R. 36: Mr. LUETKEMEYER, Mr. AMODEI, Mr. HARRIS, Mr. FITZPATRICK, Mr. YOUNG of Alaska, and Mr. MURPHY of Pennsylvania.

H.R. 69: Mr. SCHIFF.

H.R. 71: Ms. GABBARD.

H.R. 79: Mr. SABLAN.

H.R. 93: Ms. ESTY and Ms. SHEA-PORTER.

H.R. 129: Mr. GRAYSON and Mr. PAYNE.

H.R. 137: Mr. CARSON of Indiana, Ms. LOFGREN, and Ms. ESTY.

H.R. 138: Ms. LOFGREN and Ms. ESTY.

H.R. 141: Ms. LOFGREN.

H.R. 142: Ms. LOFGREN.

H.R. 148: Mr. SWALWELL of California, Ms. ESTY, Mr. LARSEN of Washington, and Ms. DEGETTE.

H.R. 164: Ms. GABBARD, Mr. COFFMAN, Ms. HERRERA BEUTLER, Ms. BROWNLEY of California, and Mr. WESTMORELAND.

H.R. 176: Ms. FOXX, Mr. MCCLINTOCK, and Mr. ROSS.

H.R. 180: Mr. ANDREWS.

H.R. 183: Mr. JONES.

H.R. 207: Mr. HARPER.

H.R. 241: Mr. GRIFFITH of Virginia.

H.R. 262: Mr. COURTNEY.

H.R. 282: Mr. BROUN of Georgia.

H.R. 283: Mr. STUTZMAN, Mr. FORBES, Mr. CONAWAY, and Mr. JONES.

H.R. 301: Mr. JOHNSON of Ohio.

H.R. 309: Mr. BENTIVOLIO, Mrs. LUMMIS, Mr. CHABOT, Mrs. BLACKBURN, Mr. STUTZMAN, Mr. CRAMER, Mr. OLSON, and Mr. COLE.

H.R. 311: Mr. NEUGEBAUER, Mr. REED, and Mr. GRAVES of Georgia.

H.R. 324: Mr. REED and Mr. GIBSON.

H.R. 334: Mr. YOUNG of Florida.

H.R. 351: Mr. GRIMM and Mr. CARTER.

H.R. 354: Mr. ENYART, Mr. GRIJALVA, Ms. WATERS, and Mr. MORAN.

H.R. 357: Mr. COLLINS of New York.

H.R. 361: Mr. SMITH of Washington.

H.R. 382: Mr. YOHO and Mr. DUNCAN of South Carolina.

H.R. 401: Mr. CAMP.

H.R. 421: Mr. ANDREWS.

H.R. 437: Mr. LYNCH, Ms. MOORE, Ms. BASS, Mr. WAXMAN, Mr. McDERMOTT, Mr. SMITH of Washington, and Mr. LANGEVIN.

H.R. 452: Mr. SCHIFF, Ms. LINDA T. SÁNCHEZ of California, Mr. SARBANES, Ms. HAHN, Mrs. BEATTY, Ms. BONAMICI, Ms. SCHWARTZ, and Ms. ESTY.

H.R. 453: Mr. BOUSTANY.

H.R. 454: Mr. DENT, Mr. FITZPATRICK, Mr. MEEHAN, and Mr. BARLETTA.

H.R. 460: Mr. COFFMAN, Mr. YOUNG of Alaska, Ms. NORTON, Mr. LEWIS, and Ms. MOORE.

H.R. 487: Mr. RODNEY DAVIS of Illinois.

H.R. 492: Mr. CRAMER.

H.R. 494: Mr. MARINO, Ms. DEGETTE, Mr. HASTINGS of Florida, Mr. COURTNEY, Mr. FITZPATRICK, Mr. CRENSHAW, Mr. HIGGINS, Mr. WALBERG, Mr. DENT, Ms. MCCOLLUM, Mrs. ELLMERS, Mr. LANCE, Mr. DOYLE, Ms. SCHWARTZ, Mr. HANNA, Mr. GIBSON, Mr. AMODEI, Mr. HOLT, Mr. KING of New York, Mr. HUIZENGA of Michigan, Mr. JONES, Mr. CHABOT, Mr. HONDA, Mr. ROSKAM, Mr. GRAVES of Missouri, Mrs. DAVIS of California, Mr. BENISHEK, Mr. KIND, Mr. MORAN, Mr. GARDNER, Mr. LAMBORN, Mr. LIPINSKI, Mr. POLIS, Ms. LINDA T. SÁNCHEZ of California, and Ms. PINGREE of Maine.

H.R. 501: Ms. PINGREE of Maine and Mr. SWALWELL of California.

H.R. 503: Mr. DEFazio.

H.R. 519: Mr. SIRE.

H.R. 530: Ms. KUSTER.

H.R. 544: Mr. McKEON and Mr. OLSON.

H.R. 555: Mr. CRAMER.

H.R. 569: Mrs. NEGRETTE McLEOD, Mr. ENYART, Mr. McGOVERN, Ms. BORDALLO, Mr. WESTMORELAND and Mr. GRIJALVA.

H.R. 570: Mrs. NEGRETTE McLEOD, Mr. ENYART, Mr. McGOVERN, Ms. BORDALLO, Mr. WESTMORELAND and Mr. GRIJALVA.

H.R. 580: Mr. HARRIS and Mr. DUNCAN of South Carolina.

H.R. 595: Ms. SCHAKOWSKY.

H.R. 627: Mr. YOUNG of Alaska, Mr. JOHNSON of Ohio and Mrs. BLACKBURN.

H.R. 630: Mr. BISHOP of New York, Mr. RANGEL, Ms. ESHOO, Mr. BLUMENAUER, Mr. RUSH, Mr. POCAN, Mr. SMITH of Washington, Ms. SCHAKOWSKY, Mr. FARR, Mr. RAHALL, Mr. TONKO, Mr. McGOVERN, and Ms. SLAUGHTER.

H.R. 657: Mr. CRAMER.

H.R. 661: Ms. SCHAKOWSKY.

H.R. 668: Mr. ROKITA, Mr. CRAMER, and Mr. RICE of South Carolina.

H.R. 671: Mr. BLUMENAUER.

H.R. 677: Mr. CRAWFORD.

H.R. 679: Mrs. CAPITO, Mr. LUETKEMEYER, Mr. NUGENT, Mr. NUNNELEE, Mr. PALAZZO, and Mr. STEWART.

H.R. 681: Mr. PETRI.

H.R. 683: Mr. GEORGE MILLER of California, Ms. SCHAKOWSKY, Mr. BLUMENAUER, and Mr. GRIJALVA.

H.R. 688: Mr. YOUNG of Florida, Mr. FARR, Mr. CÁRDENAS, Ms. EDDIE BERNICE JOHNSON of Texas, and Mr. LOWENTHAL.

H.R. 689: Ms. PINGREE of Maine and Mr. SWALWELL of California.

H.R. 690: Mr. STIVERS.

H.R. 693: Mr. FOSTER and Mr. VISCLOSKEY.

H.R. 699: Mr. JOHNSON of Georgia.

H.R. 705: Mr. WILLIAMS, Mr. GRIFFIN of Arkansas, and Mr. WESTMORELAND.

H.R. 718: Mr. NUNNELEE, Mr. ROSS, Mr. LUETKEMEYER, and Mr. GARDNER.

H.R. 724: Mr. STIVERS, Mr. BENTIVOLIO, Mr. GUTHRIE, Mr. JONES, and Mr. JOHNSON of Ohio.

H.R. 732: Mr. LUETKEMEYER, Mr. CAMP, Mr. YOUNG of Florida, and Mr. CRAMER.

H.R. 738: Mr. JONES.

H.R. 746: Mr. WESTMORELAND, Mr. McKEON, and Mr. CRAMER.

H.R. 751: Mr. ROE of Tennessee.

H.R. 755: Mr. GALLEGO, Mr. ROHRBACHER, Mr. GIBSON, Mrs. LUMMIS, Mr. DEFazio, Mr. BENTIVOLIO, Mr. LOBIONDO, Mr. RANGEL, Mr. DUNCAN of Tennessee, Mr. COLLINS of New York, Ms. DEGETTE, Mr. GARAMENDI, Ms. SHEA-PORTER, Mr. REICHERT, Mr. NUGENT, Mr. SIMPSON, Mr. MESSER, Mr. CRAMER, Mr. ROSS, Mr. BLUMENAUER, Mr. TURNER, Mr. WALZ, Mr. LIPINSKI, Mr. FARR, Mr. CONYERS, Mr. WESTMORELAND, Mr. ROSKAM, Mr. OLSON, and Mr. AMODEI.

H.R. 762: Mr. ROSS and Mr. OLSON.

H.R. 763: Mr. DENHAM, Mr. YOUNG of Indiana, Mrs. CAPITO, Mr. GARDNER, Mr. GRIFFITH of Virginia, Mr. RODNEY DAVIS of Illinois, Mr. WESTMORELAND, Mr. DUFFY, Mr. GUTHRIE, Mr. MCCLINTOCK, Mr. TURNER, Mr. GINGREY of Georgia, Mr. OLSON, Mr. POSEY, Mr. GRIFFIN of Arkansas, and Mr. COTTON.

H.R. 784: Mr. SWALWELL of California.

H.R. 803: Mrs. ROBY and Mr. POE of Texas.

H.R. 810: Mr. ENYART and Mr. McDERMOTT.

H.R. 813: Mrs. ROBY.

H.R. 822: Mr. DUNCAN of Tennessee, Mr. MORAN, Mr. CLAY, Ms. SEWELL of Alabama, Mr. CONNOLLY, Mr. McGOVERN, Mr. TONKO, Mr. HIMES, and Ms. MCCOLLUM.

H.R. 823: Mr. STOCKMAN.

H.R. 828: Mr. ROSS.

H.R. 833: Mr. RIGELL, Mr. TURNER, Mr. NUGENT, Mr. WESTMORELAND, Mr. THOMPSON of California, Mr. FLEMING, Mr. COOK, Mr. REED, Mr. MCKINLEY, Mr. LAMBORN, Mr. YOHO, Mr. FRANKS of Arizona, and Mr. COLE.

H.R. 847: Mr. PETERS of Michigan, Ms. SCHAKOWSKY, Mr. CÁRDENAS, Ms. MATSUI, Mr. MORAN, Mr. RUSH, Mr. ISRAEL, Mr. DOGETT, Mr. LIPINSKI, and Mr. PRICE of North Carolina.

H.R. 850: Ms. SCHWARTZ, Mr. SAM JOHNSON of Texas, Mr. WESTMORELAND, Mr. MURPHY of Florida, Ms. VELÁZQUEZ, Mr. SCHIFF, Mr. SCHOCK, Mr. ROSS and, Mr. YOHO.

H.R. 874: Mr. ANDREWS.

H.R. 875: Mr. CAMPBELL and Mr. HANNA.

H.R. 894: Mr. MICHAUD.

H.R. 903: Mr. BARR and Mr. DENT.

H.R. 904: Mr. HANNA and Mr. COFFMAN.

H.R. 914: Mr. WESTMORELAND, Mr. WEBER of Texas, and Mr. NEUGEBAUER.

H.R. 919: Mr. LANGEVIN.

H.R. 920: Mr. MCNERNEY.

H.R. 930: Mr. GUTHRIE.

H.J. Res. 1: Mr. PITTENGER.

H.J. Res. 2: Mr. PITTENGER, Mr. YOUNG of Florida, and Ms. ROS-LEHTINEN.

H.J. Res. 27: Mr. OLSON.

H. Con. Res. 8: Mr. MURPHY of Pennsylvania.

H. Res. 24: Mr. BACHUS, Mrs. HARTZLER, Ms. SHEA-PORTER, and Ms. JENKINS.

H. Res. 36: Mr. STUTZMAN, Mr. SMITH of New Jersey, Mrs. WAGNER, and Mr. HARRIS.

H. Res. 51: Ms. SCHAKOWSKY and Ms. SLAUGHTER.

H. Res. 71: Mrs. NOEM, Mr. THOMPSON of Pennsylvania, Mr. MORAN, and Mr. BLUMENAUER.

H. Res. 75: Mr. WALBERG, Mr. COLLINS of New York, Mr. BARR, and Ms. BORDALLO.

H. Res. 76: Mr. BOUSTANY, Mr. KIND, Mr. BUCHANAN, Mr. COSTA, Mr. KEATING, and Mr. MORAN.

H. Res. 91: Ms. LOFGREN.

CONGRESSIONAL EARMARKS, LIMITED TAX BENEFITS, OR LIMITED TARIFF BENEFITS

Under clause 9 of rule XXI, lists or statements on congressional earmarks, limited tax benefits, or limited tariff benefits were submitted as follows:

OFFERED BY MR. RYAN OF WISCONSIN

The provisions that warranted a referral to the Committee on the Budget in H.R. 668, To amend section 1105(a) of title 31, United States Code, to require that annual budget submissions of the President to Congress provide an estimate of the cost per taxpayer of the deficit, and for other purposes, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. ROGERS OF KENTUCKY

H.R. 933, the Department of Defense, Military Construction and Veterans Affairs, and

Full-Year Continuing Appropriations Act, 2013, does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.

OFFERED BY MR. RYAN OF WISCONSIN

The provisions that warranted a referral to the Committee on the Budget in H.R. 933, the Department of Defense, Military Construction and Veterans Affairs, and Full-Year Continuing Appropriations Act, 2013, do not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clause 9 of rule XXI.